

Testimony. After extensive oral argument and discussion, the Commission voted unanimously to deny NWE's Motion to Strike with respect to Richard Lauckhart's Rebuttal Testimony, to deny NWE's Motion to Strike portions of the Rebuttal Testimony of Michael Makens except those specific statements regarding the parties' respective incurrence of litigation expenses, including but not limited to those occurring on page 2, lines 24-25, and page 16, lines 29-31, and to grant NWE's Motion to Strike with respect to the entirety of the Rebuttal Testimony of Thomas Anson. The Commission voted unanimously to deny Oak Tree's Omnibus Pre-hearing Motions without prejudice on the merits on the grounds that these issues can best be addressed following hearing and post-hearing briefs based on a complete record. The Commission voted unanimously to deny Oak Tree's Motion to Exclude Testimony with respect to the testimony of Steven Lewis and to grant the Motion to Exclude Testimony with respect to Bleau LaFave's Direct and Rebuttal Testimony from page 5, line 20, to page 6, line 8, and page 17, line 27, and Responsive Testimony from page 2, line 36, to page 3, line 2. It is therefore

ORDERED, that NWE's Motion to Strike is denied with respect to the Rebuttal Testimony of Richard Lauckhart, denied with respect to the Rebuttal Testimony of Michael Makens except those specific statements regarding the parties' respective incurrence of litigation expenses, including but not limited to those occurring on page 2, lines 24-25, and page 16, lines 29-31, and granted with respect to the entirety of the Rebuttal Testimony of Thomas Anson;

ORDERED, that Oak Tree's Omnibus Pre-hearing Motions are denied without prejudice on the merits for consideration following hearing; and

ORDERED, that Oak Tree's Motion to Exclude Testimony is denied with respect to the testimony of Steven Lewis and granted with respect to Bleau LaFave's Direct and Rebuttal Testimony from page 5, line 20, to page 6, line 8, and page 17, line 27, and Responsive Testimony from page 2, line 36, to page 3, line 2.

Dated at Pierre, South Dakota, this 15th day of March, 2012.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.

By: Joy Young

Date: 3-15-12

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Chris Nelson

CHRIS NELSON, Chairman

Kristie Fiegen

KRISTIE FIEGEN, Commissioner

Gary Hanson

GARY HANSON, Commissioner