

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE PUBLIC UTILITIES COMMISSION

In the Matter of a Petition by Excelsior
Energy, Inc. for Approval of a Power
Purchase Agreement Under Minnesota
Stat. § 216B.1694, Determination of
Least Cost Technology, and
Establishment of a Clean Energy
Technology Minimum Under Minn.
Stat. § 216B.1693

FOURTH PREHEARING ORDER

This matter is before Administrative Law Judge Steve M. Mihalchick for determinations on petitions for intervention.

Based on all the files and proceedings herein, the Administrative Law Judge makes the following:

ORDER

Parties and Intervention

1. The following Petitions to Intervene were received on the dates indicated:
 - a. May 24, 2006, Gerdau Ameristeel US, Inc., and Marathon Petroleum Company, LLC, represented by Robert S. Lee and Andrew P. Moratzka, Mackall, Crouse & Moore, PLC, 1400 AT&T Tower, 901 Marquette Ave, Minneapolis, MN 55402.
 - b. May 26, 2006, Manitoba Hydro, represented by Eric F. Swanson, Winthrop & Weinstine, P.A., Suite 3500, 225 South Sixth St, Minneapolis, MN 55402-4629.
 - c. June 2, 2006, Big Stone Unit II Co-Owners, represented by Todd J. Guerrero and David L. Sasseville, Lindquist & Venum P.L.L.P., 4200 IDS Center, 80 South Eighth St, Minneapolis, MN 55402-2274 and Mark Rolfes, Otter Tail Power Company, 215 S. Cascade St, PO Box 496, Fergus Falls, MN 56538.
 - d. June 5, 2006, Minnesota Chamber of Commerce, William A. Blazar, Senior Vice President, and Michael A. Franklin, Manager, Energy Policy, 400 Robert St N, Suite 1500, St. Paul, MN 55101.

e. June 5, 2006, the Izaak Walton League of America—Midwest Office, Fresh Energy,¹ and the Minnesota Center for Environmental Advocacy, jointly, represented by Elizabeth I. Goodpaster, Attorney at Law, Minnesota Center for Environmental Advocacy, 26 East Exchange Street, Suite 206, St. Paul, MN 55101-1667.

No objections to the Petitions were received. Therefore, the Petitions are granted.

Service List

2. A revised service list is attached. In addition to the intervenors added above, the following changes were made:

- a. Bray Dohrwardt (for party Xcel Energy) is added to the mail and email lists.
- b. Robert Schulte is added to the email list.
- c. Peter H. Grills is added as a participant.
- d. Steven Clemmer, Union of Concerned Scientists, is added as a participant.

3. Some parties have multiple persons listed to receive regular service. Other parties may have financial difficulty copying all their documents and serving all such persons. Parties that have such difficulty may make alternative arrangements with parties listing multiple persons for service, such as one mailed copy and multiple email service. Any disputes should be referred to the Administrative Law Judges.

4. Persons willing to receive email service only should notify the Administrative Law Judges and other parties and participants. Mr. Clemmer is willing to receive email service only.

Dated: June 13, 2006

STEVE M. MIHALCHICK
Administrative Law Judge

¹ Formerly known as Minnesotans for an Energy Efficient Economy.