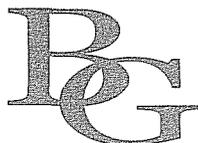


ELC. REC 5/14/06



Boyce, Greenfield, Pashby & Welk, LLP

cwmadsen@bgpw.com

Direct Dial: 605-731-0205

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MAY 22 2006

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

May 19, 2006

Attorneys at Law

Patty VanGerpen, Ex. Director
SD Public Utilities Commission
500 E Capitol
Pierre SD 57501

101 N. Phillips Ave., Suite 600

Sioux Falls, SD 57104

P.O. Box 5015

Sioux Falls, SD 57117-5015

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Re: In the Matter of the Application by Otter Tail Power Company on Behalf of Big Stone II Co-Owners for an Energy Conversion Facility Permit for the Construction of Big Stone II Project (EL05-022)
Our File No. 11402.000

Dear Ms. Van Gerpen:

Please find enclosed for filing the original Joint Motion and Stipulation to Amend Second Scheduling Order and Procedural Order.

Sincerely yours,

BOYCE, GREENFIELD, PASHBY & WELK, L.L.P.

Christopher W. Madsen

CWM/vjj

Enclosure

cc (via email): John J. Smith

John Davidson

Lesley J. Adam

Michael D. O'Neill

Elizabeth Goodpaster

Casey Davidson

Mary Jo Stueve

Karen Cremer

Bruce Nilles

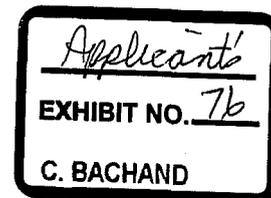
Patrick Gallagher

George Hays

Sanjay Narayan

Todd Guerrero/David Sasseville

Bruce Gerhardson



Russell R. Greenfield

Gary J. Pashby

Thomas J. Welk

Michael S. McKnight

Gregg S. Greenfield

Roger A. Sudbeck

Lisa K. Marso

Heather R. Springer*

Darin W. Larson

Michael F. Tobin

Christopher W. Madsen

Sherri L. Rotert**

Charles A. Larson

Joanne M. Haase+

*Also licensed in Kansas

**Also licensed in Colorado

+Also licensed in Minnesota

J.W. Boyce (1884-1915)

RECEIVED

MAY 22 2006

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

In the Matter of Otter Tail Power Company
on Behalf of Big Stone II Co-Owners for an
Energy Conversion Facility Permit for the
Construction of the Big Stone II Project

Docket No. EL 05-022

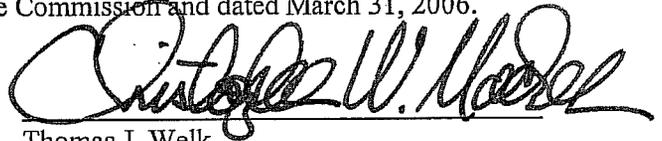
JOINT MOTION AND STIPULATION TO
AMEND SECOND SCHEDULING AND
PROCEDURAL ORDER

Applicants, by and through their attorneys of record and Intervenors, Minnesota Center for Environmental Advocacy, Minnesotans for an Energy Efficient Economy, Izaak Walton League of America- Midwest Office and the Union of Concerned Scientists (hereinafter collectively referred to as "MCEA"), by and through their attorneys of record, jointly move and stipulate as follows:

1. MCEA's motion to compel discovery is withdrawn. Applicant shall provide responses to IR 17, which is a request for information served In the matter of the Application for a Certificate of Need for Transmission Lines in Western Minnesota, Minnesota Public Utilities Commission Docket No. ET-6131, ET-2, ET-6130, E-252, ET-10, ET-6444, E-017, ET/CN-05-619 and incorporated by reference in MCEA's Fourth Set of Requests for Production of Documents dated March 9, 2006 and served in this docket, as limited by MCEA and agreed by the parties.
2. The Second Scheduling and Procedural Order dated March 31, 2006 be amended as follows:
 - a. MCEA shall file and serve the direct testimony of David Schlissel/Anna Sommer of Synapse Energy pertaining to information provided in response to IR 17 no later than 5:00 PM CDT on Friday, May 26, 2006.

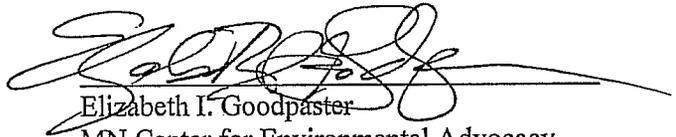
- b. Applicants shall file any testimony rebutting the Schlissel/Sommer testimony filed and served on May 26 no later than 5:00 PM on Friday, June 16, 2006.
- c. Any surrebuttal testimony pertaining to the rebuttal testimony filed by the Applicants shall be filed and served no later than 12:00 noon on Thursday, June 22, 2006.
- d. All other testimony shall be filed and served as set forth in the Second Scheduling and Procedural Order entered by the Commission and dated March 31, 2006.

Dated this 12th day of May, 2006.



Thomas J. Welk
Christopher W. Madsen
Boyce, Greenfield, Pashby & Welk, L.L.P.
101 N. Phillips Avenue - #600
Sioux Falls, SD 57104
(605) 336-2424
Attorneys for Big Stone II Project

Dated this 12th day of May, 2006.



Elizabeth I. Goodpaster
MN Center for Environmental Advocacy
26 E. Exchange Street #206
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and

John H. Davidson
213 USD Law Bldg.
414 E. Clark Street
Vermillion, SD 57069
Attorneys for MCEA

and

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**THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

In the Matter of Otter Tail Power Company
on Behalf of Big Stone II Co-Owners for an
Energy Conversion Facility Permit for the
Construction of the Big Stone II Project

Docket No. EL 05-022

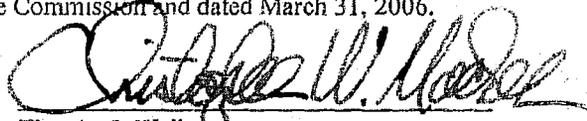
**JOINT MOTION AND STIPULATION TO
AMEND SECOND SCHEDULING AND
PROCEDURAL ORDER**

Applicants, by and through their attorneys of record and Interveners, Minnesota Center for Environmental Advocacy, Minnesotans for an Energy Efficient Economy, Izaak Walton League of America- Midwest Office and the Union of Concerned Scientists (hereinafter collectively referred to as "MCEA"), by and through their attorneys of record, jointly move and stipulate as follows:

1. MCEA's motion to compel discovery is withdrawn. Applicant shall provide responses to IR 17, which is a request for information served in the matter of the Application for a Certificate of Need for Transmission Lines in Western Minnesota, Minnesota Public Utilities Commission Docket No. ET-6131, ET-2, ET-6130, E-252, ET-10, ET-6444, E-017, ET/CN-05-619 and incorporated by reference in MCEA's Fourth Set of Requests for Production of Documents dated March 9, 2006 and served in this docket, as limited by MCEA and agreed by the parties.
2. The Second Scheduling and Procedural Order dated March 31, 2006 be amended as follows:
 - a. MCEA shall file and serve the direct testimony of David Schlissel/Anna Soumer of Synapse Energy pertaining to information provided in response to IR 17 no later than 5:00 PM CDT on Friday, May 26, 2006.

- b. Applicants shall file any testimony rebutting the Schlissel/Sommer testimony filed and served on May 26 no later than 5:00 PM on Friday, June 16, 2006.
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- d. All other testimony shall be filed and served as set forth in the Second Scheduling and Procedural Order entered by the Commission and dated March 31, 2006.

Dated this 12th day of May, 2006.



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Dated this 12th day of May, 2006.



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**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

In the Matter of Otter Tail Power Company
on Behalf of Big Stone II Co-Owners for an
Energy Conversion Facility Permit for the
Construction of the Big Stone II Project

Docket No. EL 05-022

CERTIFICATE OF SERVICE

I, Christopher W. Madsen, do hereby certify that I am a member of the law firm of Boyce, Greenfield, Pashby & Welk, L.L.P., attorneys for the Co-owners of Big Stone II Project and that on the 12th day of May, 2006, true and correct copies of the Joint Motion and Stipulation to Amend Second Scheduling and Procedural Order were served via email to the following addresses listed on the E-Service List:

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Pierre, SD 57501

Dated this 12th day of May, 2006.



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