

OAH Docket No. 7-2500-19797-2
MPUC Docket Nos. E-022/CN-08-509
E-002/CN-08-510
E-002/GS-08-690

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

In the Matter of the Association of Northern States Power Company (d/b/a Xcel Energy) for a Certificate of Need for the Prairie Island Nuclear Generating Plant for an Extended Power Uprate

In the Matter of the Association of Northern States Power Company (d/b/a Xcel Energy) for a Certificate of Need for the Prairie Island Nuclear Generating Plan for Additional Dry Cask Storage

In the Matter of the Association of Northern States Power Company (d/b/a Xcel Energy) for an LEPPG Site Permit for the Prairie Island Nuclear Generating Plant (PINGP) Extended Power Uprate Project

MOTION TO AMEND FIRST PRE-HEARING ORDER
ORAL ARGUMENT REQUESTED

The City of Red Wing, Minnesota, by and through its undersigned counsel, hereby moves this Court pursuant to Minnesota Administrative Rule 1400.6600 and the First Pre-Hearing Order dated October 3, 2008 for an amended Scheduling Order in this matter.

Pursuant to Paragraph 37 of the Court's First Pre-Hearing Order, that Order may be modified or amended by further order of this Administrative Law Judge. Specifically, it provides that, "[p]arties seeking to modify or amend this order shall make application to the Administration Law Judge by motion and for good cause shown."

The City of Red Wing respectfully requests that the Scheduling Order be amended as follows:

Date	Event
March 17, 2009	Draft EIS prepared by OES (tentative)
August 1, 2009	Xcel's prefiled Direct Testimony
August 15, 2009	Deadline for Petitions to Intervene and requesting non-party participants status
August 21, 2009	OES and Intervenor's prefiled Direct Testimony
September 7, 2009	Prefiled Rebuttal Testimony by all parties
September 14, 2009	Public hearings on all dockets (locations TBD)
September 28, 2009	Written Public Comment deadline (must be received by 4:30 p.m.)
September 30, 2009	Prefiled Surrebuttal Testimony by all parties
October 5, 2009	Evidentiary hearing begins
TBD	Posthearing briefs
TBD	Reply Briefs of parties
TBD	Exceptions
TBD	Final PUC decision

Good cause exists for granting the City of Red Wing's Motion due to the fact that Red Wing only recently filed its Petition to Intervene in this matter and has not had sufficient time to conduct the necessary discovery to fully participate in this case. Additionally, given that the City of Red Wing will undoubtedly be significantly impacted both financially and in terms of

potential risks if the Certificates of Need are granted, it is imperative that Red Wing be given the opportunity to present evidence and testimony so the true impacts on the health, safety and welfare of the citizens of Red Wing, as well as the financial costs of same, be considered.

Accordingly, City of Red Wing respectfully requests that this Court grant its Motion to Amend the Scheduling Order.

Pursuant to Minnesota Rule 1400.6600, all parties to this matter are advised that should they wish to contest this Motion, they must file and serve a written response within ten business days of this Motion.

Respectfully submitted,

MADIGAN, DAHL & HARLAN, P.A.

Dated: March 25, 2009

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