

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

FOR THE MINNESOTA PUBLIC UTILITIES COMMISSION

In the Matter of a Petition by
Peoples Natural Gas Company
and Northern Minnesota Utilities,
Divisions of UtiliCorp United, Inc.,
for Authority to Increase Natural Gas
Rates in Minnesota and to Consolidate
the Two Utilities

FIFTH PREHEARING ORDER

A Prehearing Conference telephone call was held on Wednesday, February 21, commencing at 9:00 a.m.

Participating in this telephone call were representatives from the Commission Staff, the Applicant, the Department, and Intervenors Potlach, Minnesota Power, LPI Group and LSP-Cottage Grove.

There was a review of the issues which the Commission Staff (and presumably at least some of the Commissioners) wish to explore more fully, and it was agreed that an in-person proceeding to discuss them would be appropriate. A stipulation was reached that all prefiled testimony of all witnesses would be entered into the record without the need for those witnesses being present to sponsor it.

Based upon all the filings and proceedings herein, the Administrative Law Judge makes the following:

ORDER

1. That a Hearing shall be held on Wednesday, March 14, 2001, commencing at 9:00 a.m. in the Commission's large hearing room.

2. That all prefile testimony of all witnesses shall be entered into the record without the need for those witnesses to be present to sponsor it.

Dated this 26th day of February, 2001.

ALLAN W. KLEIN
Administrative Law Judge

MEMORANDUM

During the February 21, prehearing conference telephone call, the Commission's Staff outlined a number of issues which it desired to explore more fully during an in-person hearing. The Company and the Department agreed to provide appropriate witnesses to answer questions in those areas. The Administrative Law Judge urged the Staff to poll the Commissioners and request that they alert staff about any issues they would likely explore during the proceeding, so that appropriate witnesses would be available to answer their questions. While a witness can be taken by telephone if necessary, or the proceeding can be continued for another day in order to make a witness available, it does make sense to try to avoid surprises and get everything done at one time. Obviously, the Commissioners can proceed in whatever manner they choose, and the parties will accommodate them. But to the extent possible, it would be desirable to avoid surprises so that we can complete everything in one day.

A.W.K.