

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	SIXTH PREHEARING ORDER
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This matter is before Administrative Law Judges Steve M. Mihalchick and Bruce H. Johnson for determinations on scheduling.

Based on all the files and proceedings herein, the Administrative Law Judges make the following:

ORDER

1. The remaining schedule for Phase 1 is modified to read as follows:

Discovery on All Phase 1 Issues	Ongoing to start of hearing
Other Parties' Statements of the Case	August 14, 2006
Applicant's Supplemental Filing and Other Parties' Direct Testimony	September 5, 2006
Dispositive Motions (7 days to reply)	September 25, 2006
Rebuttal Testimony (all parties)	October 10, 2006
Surrebuttal Testimony (all parties)	October 31, 2006
Evidentiary Hearing at PUC at 9:00 a.m.	November 20-22 and Nov 27-Dec 1, 2006
Public Hearings, St. Paul, Grand Rapids, and Hoyt Lakes	December 18-20, 2006
Deadline for Written Public Comment	December 22, 2006

Initial Briefs and Proposed Findings January 5, 2007

Reply Briefs January 19, 2007

ALJ Report to PUC February 21, 2007

2. The schedule for Phase 2 is modified to read as follows:

Discovery on All Phase 2 Issues January 22, 2007, to hearing

Prehearing Conference on Phase 2 February 23, 2007

Petitioner's Supplemental Testimony March 6, 2007

Other Parties' Direct Testimony April 3, 2007

Dispositive Motions (7 days to reply) May 1, 2007

Rebuttal Testimony (all parties) May 1, 2007

Surrebuttal Testimony (all parties) May 14, 2007

Public Hearings to be determined

Evidentiary Hearing at PUC at 9:00 a.m. May 21-25, 2007

Deadline for Written Public Comment June 22, 2007

Initial Briefs and Proposed Findings June 22, 2007

Reply Briefs July 6, 2007

ALJ Report to PUC August 3, 2007

3. Applicant shall make arrangements for the public hearings and coordinate with Commission staff on the notice to be given. Afternoon and evening sessions should be scheduled. Hoyt Lakes has been designated because the Commission has indicated a desire for more evidence regarding the eastern site. If suitable accommodations are not available in Hoyt Lakes itself, the nearest suitable alternative should be used. Arrangements should also be made for the Administrative Law Judges to view the possible sites on the dates of the nearby public hearings.

Dated: August 9, 2006

/s/ Steve M. Mihalchick
STEVE M. MIHALCHICK
Administrative Law Judge

/s/ Bruce H. Johnson
BRUCE H. JOHNSON
Administrative Law Judge