

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**

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