

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Dakota Wind Harvest, LLC
Complainant,

vs.

Docket No. EL07-44-000

Midwest Independent Transmission
System Operator, Inc.

Montana-Dakota Utilities Company

Western Area Power Administration
Respondents

ORDER OF CHIEF JUDGE DESIGNATING SETTLEMENT JUDGE

(Issued March 16, 2007)

1. The Commission's Dispute Resolution Service advised the Chief Judge that the parties to this complaint proceeding have requested the appointment of a settlement judge to assist them in resolving the issues in dispute. The parties unanimously requested that Judge Bobbie J. McCartney be appointed as the settlement judge.
2. Accordingly, the Chief Judge hereby appoints Judge Bobbie J. McCartney as the Settlement Judge in this case to convene a settlement conference, to explore the possibility of settlement, to discuss the differences between the parties, and in general to conduct the settlement negotiations. Participants are directed to have persons present at the settlement negotiations with authority to negotiate and accept or approve settlement terms.
3. Settlement Judge McCartney will report to the Chief Judge on the status of the settlement negotiations every thirty days.
4. The Chief Judge strongly encourages electronic filings. See 18 C.F.R. § 385.2001(a)(1)(iii) and the instructions on the Commission's website under the "Documents & Filing" tab.

Curtis L. Wagner, Jr.
Chief Administrative Law Judge