

MCGRANN SHEA CARNIVAL STRAUGHN & LAMB, CHARTERED

ATTORNEYS AT LAW

WILLIAM R. MCGRANN
DOUGLAS M. CARNIVAL
PETER L. COOPER
KATHLEEN M. LAMB
JOHN R. SCHULZ
BRIAN L. SOBOL
SCOTT B. CROSSMAN

CARLA J. PEDERSEN
JOSEPH T. BAGNOLI
ROGER J. STELLJES
JEFFREY C. URBAN
KATHLEEN MICHAELA BRENNAN
CARL S. WOSMEK
AMY L. COURT

CHRISTY E. LAWRIE
KEVIN A. SCHAEKEL
OF COUNSEL
ROBERT O. STRAUGHN
RETIRED
ANDREW J. SHEA

October 18, 2016

VIA ELECTRONIC FILING

Daniel P. Wolf
Executive Secretary
Minnesota Public Utilities Commission
350 Metro Square Building
121 Seventh Place East
St. Paul, MN 55101

Re: In the Matter of the Joint Request of the Moorhead Public Service
Commission and Red River Valley Cooperative Power Association to
Modify Electric Service Territory Boundaries
MPUC Docket No. _____
Our File No.: 52959-0013

Dear Mr. Wolf:

I represent the Moorhead Public Service Commission, a municipal utility of the City of Moorhead ("MPS"). MPS is authorized, on behalf of itself and Red River Valley Cooperative Power Association (the "Cooperative") (collectively, the "Parties") to make this filing.

Summary of the Joint Request

This filing constitutes the Parties' joint request under Minn. Stat. § 216B.39, subd. 3, that the MPUC modify the Parties' service territory boundaries. This joint request concerns the transfer of an area annexed into the city limits of Moorhead and within the electric service territory assigned to the Cooperative (the "Affected Area"), as further described below.

Legal Authorities

By statute, "the commission may on its own or at the request of an electric utility make changes in the boundaries of the assigned service areas, but only after notice and hearing . . ." Minn. Stat. § 216B.39, subd. 3. In addition, "no electric utility shall render or extend electric service at retail within the assigned service area of another electric

utility unless the electric utility consents thereto in writing . . . “ Minn. Stat. § 216B.40 (2014). In the present case, the Parties seek to adjust the service territory boundaries to transfer the Affected Area to MPS’ assigned service territory. The Parties have agreed upon appropriate compensation. The Parties request that the Commission update its official records as to electric service territory boundaries.

Underlying Information

1. Exhibit A: Affected Area. Attached as Exhibit A is a map that depicts the boundaries of the Affected Area. The Affected Area involves approximately 1,061 acres. There are approximately 349 residential customers and 8 commercial customers.

2. Exhibit B: Annexation Documents. Attached as Exhibit B is a copy of the annexation documents for the Affected Area. The Parties have agreed to compensation for the transfer of the Affected Area, after arms-length negotiations.

The Parties do not have a separate legal description prepared of the Affected Area, but are willing to provide whatever information is helpful and reasonably requested by MnGeo to facilitate the adjustment in the official maps. The annexation documents in Exhibit B provide a legal description of the entire annexation, which includes the Affected Area as well as an area currently assigned to another service provider.

Customer Notice

The Parties communicated extensively with the customers in the Affected Area throughout the transition process. Copies of the pertinent correspondence and notices of public meetings are attached as Exhibit C.

The Parties acknowledge that the Commission wishes to direct separate notice to customers as to the pending proceeding before the Commission. Attached as Exhibit D is a proposed notice to be sent to all customers in the Affected Area.

Anticipated Transfer Date

The Parties have enjoyed extensive technical discussions to minimize disruptions to customers and to proceed efficiently. The Parties have determined to transfer the services in phases during the last two weeks in October.

Daniel P. Wolf
October 18, 2016
Page 3

Contact Information

If there are any questions concerning this filing, you may contact the following representatives:

Moorhead Public Service:

Bill Schwandt
General Manager
500 Center Avenue
P.O. Box 779
Moorhead, MN 56561-0779
Phone: 218-477-8004
Fax: 218-477-8020
Email: bschwandt@mpsutility.com

Kaela Brennan
McGrann Shea Carnival
Straughn & Lamb, Chtd.
800 Nicollet Mall, Suite 2600
Minneapolis, MN 55402
Phone: 612-338-2525
Fax: 613-339-2386
Email: kmb@mcgrannshea.com

Red River Valley Cooperative Power Association:

Lauren Brorby
CEO
109 2nd Ave E.
P.O. Box 358
Halstad, MN 56548
Phone: 218-456-2139
Email: lbrorby@minnkota.com

Sara McGrane
Felhaber Larson
220 South 6th Street
Suite 2200
Minneapolis, MN 55402-4504
Phone: 612-339-6321
Fax: 612-338-0535
Email: smcgrane@felhaber.com

Daniel P. Wolf
October 18, 2016
Page 4

Request

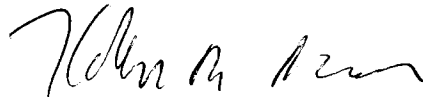
The Parties therefore petition the Commission to accept and file these documents and provide due acknowledgment thereof. The Parties further request that the Commission provide evidence of its acknowledgment of these changes of service territory boundaries, and the updating of the official service territory records.

Proposed Service List

A copy of this letter and the accompanying documents has been mailed or emailed to the persons on the enclosed proposed service list.

Please contact the representatives above if you have any questions. Thank you for your assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Kathleen M. Brennan". The signature is fluid and cursive, written in a professional style.

Kathleen M. Brennan

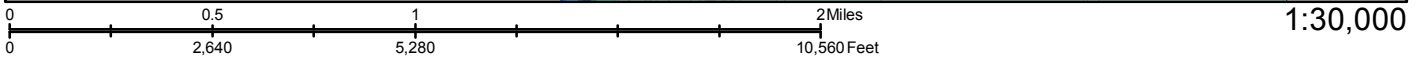
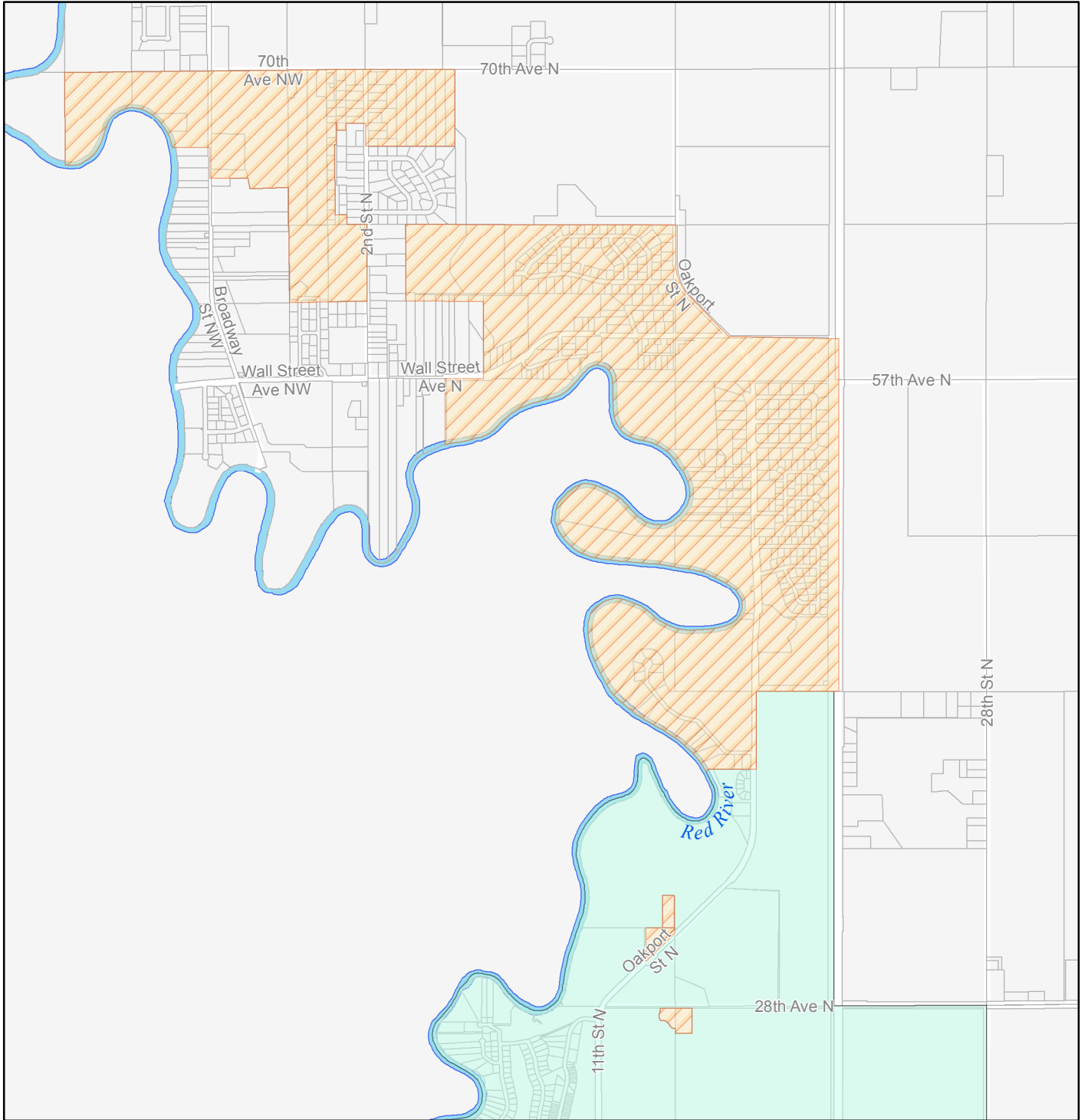
Enclosures
cc (w/encl.): Proposed Service List

EXHIBIT A

Red River Valley Buyout Area & MPS Electric Service Territory

Legend

- Red River Valley Buyout Area
- Existing MPS Service Territory



500 CENTER AVENUE, BOX 779
 MOORHEAD, MINNESOTA 56561
 PH: (218) 477-8000 OPTION 4
 FAX: (218) 477-8020
 EMAIL: MPS@MPSUTILITY.COM

Map No.
1/1

Author: SGJ
Date: 10/10/2016
Revised:
Map Projection:
 NAD 1983 HARN Adj MN Clay Feet

1 inch = 2,500 feet
If this line is not 1 inch long, then the map is not to scale.

EXHIBIT B

Transaction#: 165293

733841

RECORDING FEE

\$46.00



Recorded on: 5/21/2014 01:57PM
By: KSS, Deputy

LMK deputy

Certificate of Value Filed # _____

Not Required ()

Taxes Paid and transfer entered this 21st day of

May, 2014

Receipt # _____

Deed Tax Hereon of \$ _____ paid

Deed Tax () Not Required () Exempt

Lori J Johnson/KS

County Auditor/Treasurer

Return to:
MOORHEAD CITY
PO BOX 779
MOORHEAD, MN 56560

DiAnn M Streifel, Recorder
CLAY County, MN

CERTIFICATION

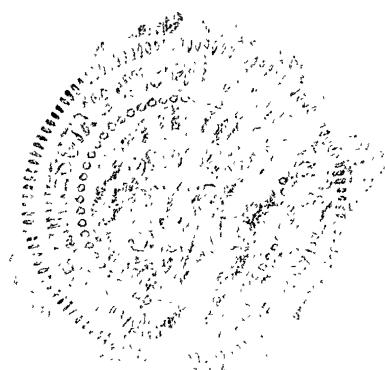
State of Minnesota

County of Ramsey

I, Katie J. Lin, State Program Administrator, of the Office of Administrative Hearings-Municipal Boundary Adjustment Unit, hereby certify that the attached copy of MBAU Docket OA-209-1 Moorhead/Oakport Township FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER is a true and correct copy of the original on file at the Office of Administrative Hearings-Municipal Boundary Adjustment Unit.

Dated: May 13, 2014

Katie J. Lin, State Program Administrator
Municipal Boundary Adjustment Unit



STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
MUNICIPAL BOUNDARY ADJUSTMENT UNIT

In the Matter of OA-209-1
Moorhead/Oakport Township
Pursuant to Minnesota Statutes 414

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

The city resolution for orderly annexation submitted by the City of Moorhead was reviewed for conformity with applicable law. By delegation, the Chief Administrative Law Judge hereby makes and files the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. A joint resolution for orderly annexation was adopted by the City of Moorhead and Oakport Township pursuant to Minnesota Statutes § 414.0325 and filed with the Office of Administrative Hearings, Municipal Boundary Adjustment Unit.
2. A resolution adopted and submitted by the City of Moorhead requests annexation of part of the designated area described as follows:

Tract 2

- a. The south 754 feet of the SW $\frac{1}{4}$ of Section 16, and;
- b. A triangular shaped parcel described as beginning 749.7 feet north of the SW corner of Section 16, thence north 965.54 feet, thence southeasterly 228.98 feet, thence northeast 7 feet, thence south 181.53 feet, thence southeast 898.68 feet, thence west 852.56 feet to point of beginning, and;
- c. The west 1518 feet of the NW $\frac{1}{4}$ of Section 17, and;
- d. The portion of the south half of Section 17 lying north of the Red River of the North, and;
- e. The portion of Section 18 lying east and north of said river, and;
- f. The portion of Section 19 lying east and north of said river, and;
- g. The portion of Section 20 lying north and east of said river, and;
- h. The portion of the west half of Section 21 lying east of said river, and;

- i. The portion of the NW ¼ of the NW ¼ of Section 28 lying east of said river, and;
- j. The portion of the NE ¼ of the NE ¼ of Section 29 lying east of said river, and;
- k. The Palmer Nymark property in Government Lots 3 and 4 described as two parcels:
 - 1. The first parcel described as beginning at a point 14 feet west of the Southeast Corner of Government Lot 3, thence West 200 feet on the north line of Government Lot 3, thence North 554.5 feet parallel to the east line of Section 29, thence East 200 feet to a point 14 feet west of the east line of Section 29, thence South 554.5 feet to the point of the beginning.
 - 2. The second parcel described as beginning at the Northeast Corner of Government Lot 4, thence West 7.50 chains (approximately 495 feet) on the north line of Government Lot 4, thence S 2°45' E a distance of 8.52 chains (approximately 562.3 feet); thence N 44° E a distance of 10.04 chains (approximately 662.6 feet) to a point of intersection with the east line of Section 29, thence North 1.32 chains (approximately 87.1 feet) on the east line of Section 29 to the point of beginning, and;

- 1. The Moorhead Rod and Gun Club property described as two parcels:
 - 1. The first parcel beginning at the Northwest Corner of Section 33, thence South 456.9 feet on the west line of Section 33, thence East 286 feet, thence North 456.9 feet to the north line of Section 33, thence West 286 feet on the north line of Section 33 to the point of the beginning.
 - 2. The second parcel described as beginning at the Northeast Corner of Section 32, thence West 254.69 feet on the north line of Section 32 to a point of intersection with the north bank of Clay County ditch 41, thence southeasterly along the said ditch bank to a point of intersection with the east line of Section 32 thence North 384.00 feet more or less on the east line of Section 32 to the point of the beginning.

3. Minnesota Statutes § 414.0325, subd. 1(h) states that in certain circumstances the Chief Administrative Law Judge may review and comment, but shall within 30 days order the annexation pursuant to the terms of a joint resolution for orderly annexation.

4. The joint resolution contains all the information required by Minnesota Statutes § 414.0325, subd. 1(h).

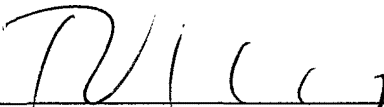
CONCLUSIONS OF LAW

1. The Office of Administrative Hearings has jurisdiction of the within proceeding.
2. An order should be issued by the Chief Administrative Law Judge or authorized designee annexing the area described herein.

ORDER

1. The property described in Findings of Fact 2 is annexed to the City of Moorhead.
2. The effective date of the annexation is January 1, 2015.

Dated: May 13, 2014



Timothy J. O'Malley
Deputy Chief Administrative Law Judge
Municipal Boundary Adjustment Unit

Transaction#: 164553

733375

RECORDING FEE

\$46 00



Recorded on: 5/7/2014 10:16AM
By KSS, Deputy

Return to
MOORHEAD CITY
PO BOX 779
MOORHEAD, MN 56560

DiAnn M Streifel, Recorder
CLAY County, MN

Certificate of Value Filed # _____
Not Required
Taxes Paid and transfer entered this 6 day of

May 2014

Receipt # _____
Deed Tax Hereon of \$ _____ paid
Deed Tax Not Required () Exempt

DiAnn M Streifel
County Auditor/Treasurer

RESOLUTION 2014-0414-5

Consider Actions Related to Adopting and Filing an Initiating Resolution with the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings as required by the 1990 Orderly Annexation Agreement between the City of Moorhead and Oakport Tow

RESOLUTION INITIATING ANNEXATION OF TRACT 2

IN THE MATTER OF THE RESOLUTION OF THE CITY OF MOORHEAD TO INITIATE THE ANNEXATION OF TRACT 2 FROM THE TOWN OF OAKPORT ON JANUARY 1, 2015

WHEREAS, the City of Moorhead executed a "JOINT RESOLUTION BETWEEN THE TOWN OF OAKPORT AND THE CITY OF MOORHEAD DESIGNATING AN AREA FOR ORDERLY ANNEXATION PURSUANT TO MINNESOTA STATUTE SECTION 414.0325 (TRACT 2/3)" effective February 22, 1990, as amended by the First Amendment dated November 5, 1990, and the Second Amendment dated March 5, 1996 (hereinafter, collectively the "Joint Resolution");

WHEREAS, Section 3 of the Joint Resolution states that the City of Moorhead will file an Initiating Resolution to provide for the effective date of annexation of Tract 2 (effective January 1, 2015) from the Town of Oakport to the City of Moorhead; and

WHEREAS, Section 21 of the Joint Resolution provides that upon receipt of an Initiating Resolution, the Minnesota Municipal Board may review and comment, but will, within thirty (30) days, order the annexation in accordance with the terms of the Joint Resolution;

NOW THEREFORE BE IT RESOLVED by the City Council of Moorhead as follows:

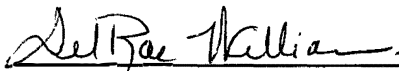
1. This Initiating Resolution is made pursuant to Section 3 of the Joint Resolution to provide for the effective date of annexation of Tract 2 according to the terms of the Joint Resolution.
2. All parcels within Tract 2 will be annexed to the City of Moorhead, effective on

January 1, 2015.

3. A map of Tract 2 is attached as Exhibit A, the legal description of Tract 2 is attached as Exhibit B, and the Joint Resolution, as amended, is attached as Exhibit C.
4. Upon adoption and execution of this Initiating Resolution for the annexation of Tract 2, the City of Moorhead will file the same with the State of Minnesota's Municipal Boundary Adjustment Unit of the Office of Administrative Hearings and will comply with such requirements as may be necessary to provide for the effective date of annexation of Tract 2 on January 1, 2015.
5. The City of Moorhead agrees that no alteration of the stated boundaries as described in the Joint Resolution is appropriate, that no consideration by the Office of Administrative Hearings is necessary, and that all terms and conditions for annexation of Tract 2 are provided in the Joint Resolution. Pursuant to Minnesota Statutes, Section 414.0325, upon receipt of this Initiating Resolution, the Office of Administrative Hearings may review and comment, but shall within thirty (30) days order the annexation in accordance with the terms and conditions contained in the Joint Resolution.

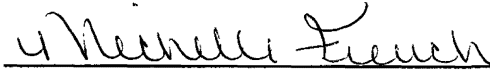
PASSED: April 14, 2014 by the City Council of the City of Moorhead.

APPROVED BY:



DEL RAE WILLIAMS, Mayor

ATTEST:



MICHELLE FRENCH, City Clerk

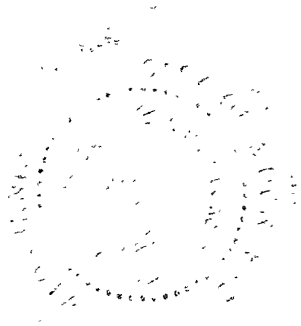
CERTIFICATION

STATE OF MINNESOTA
COUNTY OF CLAY
CITY OF MOORHEAD

I do hereby certify that the above Resolution is a true and accurate copy of the Resolution adopted by the Council of the City of Moorhead at an authorized meeting held on the 14th day of April, 2014. as shown by the minutes of the meeting in my possession.

Dated this 16th day of April, 2014.

Michelle French
Michelle French, City Clerk





500 Center Avenue
P.O. Box 779
Moorhead, MN 56561-0779
phone: 218.299.5400
fax: 218.299.5193
www.mpsutility.com

June 2016

**RE: Transfer of Electric Service
from Red River Valley Cooperative Power Association to Moorhead Public Service**

Dear RRVCPA Electric Customer:

This letter is to invite you to an informational meeting with Red River Valley Cooperative Power Association (RRVCPA) and Moorhead Public Service (MPS) regarding the transfer of your electric service to MPS. This transfer of electric service from RRVCPA to MPS is expected to be completed this fall. Come to learn how this transfer might affect your electric service. MPS will also have information available on MPS' rates, load management programs, energy savings programs, rebates, etc.

The informational meeting will be held:

Location: Hjemkomst Center, Auditorium
202 First Avenue North, Moorhead
Date: Tuesday, July 12, 2016
Time: 6:00 PM

Xcel Energy customers in the area recently annexed into the city of Moorhead can expect to have their electric service transferred to MPS in 2017. Information regarding this transfer will be made available at a later date.

From Red River Valley Cooperative Power Association—it has been a pleasure to have served you. From Moorhead Public Service—we welcome you and look forward to serving you in the near future.

Sincerely,

A handwritten signature in blue ink that reads 'Lauren Brorby'.

Lauren Brorby
Chief Executive Officer
Red River Valley Cooperative Power Association

A handwritten signature in blue ink that reads 'Bill Schwandt'.

Bill Schwandt, PE MBA
General Manager
Moorhead Public Service



June 2016

500 Center Avenue
P.O. Box 779
Moorhead, MN 56561-0779

phone: 218.299.5400
fax: 218.299.5193

www.mpsutility.com

RE: Dual-Fuel Conversion for Red River Valley Cooperative Power Association Customers Transferred to Moorhead Public Service

Dear RRVCPA Dual-Fuel Customer:

This letter is to inform you that, upon transfer of your electric service to Moorhead Public Service (MPS) later this year, your current dual-fuel system will no longer operate and will not qualify under MPS' Dual-Fuel Program unless it is modified. MPS recognizes that you will incur an expense to modify your system; therefore, we are providing a special, limited-time incentive to encourage you to participate in MPS' Dual-Fuel Program.

MPS will compensate you up to \$1,600, or 80 percent of the total conversion costs, whichever is less, to modify your existing dual-fuel system to meet the requirements of MPS' Dual-Fuel Program. This special incentive is available only for dual-fuel systems that have been inspected and approved by MPS before December 31, 2016. After December 31, 2016, regular program incentives will be in effect should you wish to convert your system to meet MPS' Dual-Fuel Program requirements (typically up to \$400).

Please note that, until you modify your dual-fuel system, you will not receive the benefits of the low, dual-fuel rate offered by MPS. Also, as a reminder, you may not want to wait until fall to make arrangements with heating contractors as they will be busier at that time.

Enclosed is a folder of information on MPS' Dual-Fuel Program, including the guidelines and a description of our standard dual-fuel incentives. Additional information about this program and other programs offered by MPS is available at www.mpsutility.com or by calling MPS' Energy Services Manager Dennis Eisenbraun at 218-477-8018.

You will also receive a letter from RRVCPA and MPS inviting you to an informational meeting at 6:00 PM on Tuesday, July 12, 2016, at the Hjemkomst Center, regarding the transfer of your electric service to MPS. Details of the informational meeting will be included in that letter.

Sincerely,

Bill Schwandt, PE MBA
General Manager

BS/cag
enclosure



RED RIVER VALLEY
COOPERATIVE POWER ASSOCIATION
Your Touchstone Energy® Partner



500 Center Avenue
P.O. Box 779
Moorhead, MN 56561-0779
phone: 218.299.5400
fax: 218.299.5193
www.mpsutility.com

September 29, 2016

**RE: Transfer of Electric Service for North Moorhead Customers of
Red River Valley Cooperative Power Association to Moorhead Public Service**

Dear RRVCPA Electric Customer:

On July 12, 2016, an informational meeting was held by Red River Valley Cooperative Power Association (RRVCPA) and Moorhead Public Service (MPS) to discuss the transfer of your electric service to MPS. At that meeting, we stated that we would notify you when the transfer was about to occur.

This letter is to inform you that the transfer of your electric service from RRVCPA to MPS is expected to occur during the last two weeks of October 2016. During this time, both RRVCPA and MPS crews will be working in your area to perform the electric service transfer.

The interruption in your electric service is expected to only be a few minutes; however, please prepare for an interruption that will affect anything that operates with electricity. We will be using communication methods, such as door hangers, to provide you with a more precise time for this service transfer.

RRVCPA Dual-Fuel Customers: Once your service is transferred, your dual-fuel system will no longer operate and will not qualify for MPS' Dual-Fuel Program unless it is modified. You will receive a separate letter from MPS regarding special incentives to encourage you to modify your existing dual-fuel system to qualify for MPS' Dual-Fuel Program. If you are choosing to not modify your system for MPS' Dual-Fuel Program, please ensure that your primary space heating system, regardless of the fuel source, is fully operational.

From Red River Valley Cooperative Power Association—it has been a pleasure to have served you.
From Moorhead Public Service—we welcome you and look forward to serving you in the near future.

Sincerely,

Lauren Brorby
Chief Executive Officer
Red River Valley Cooperative Power Association

Bill Schwandt, PE MBA
General Manager
Moorhead Public Service



September 29, 2016

500 Center Avenue
P.O. Box 779
Moorhead, MN 56561-0779

phone: 218.299.5400
fax: 218.299.5193

www.mpsutility.com

RE: Existing Dual-Fuel Systems and Transfer of Electric Service

Dear RRVCPA Dual-Fuel Customer:

The transfer of your electric service from Red River Valley Cooperative Power Association (RRVCPA) to Moorhead Public Service (MPS) is expected to occur during the last two weeks of October 2016. As a reminder, your existing dual-fuel system will no longer operate and will not qualify for MPS' Dual-Fuel Program unless it is modified. If you choose to not modify your dual-fuel system, please ensure that your primary space heating system, regardless of the fuel source, is fully operational.

As you may know, MPS is providing special incentives for a limited time to encourage you to modify your existing dual-fuel system to qualify for MPS' Dual-Fuel Program. A Level 2 Incentive has been added for customers with higher costs to modify their system. **The following special incentives are available for modified dual-fuel systems that are inspected and approved by MPS before December 31, 2016.**

Level 1 Incentive – For existing dual-fuel systems that cost less than \$2,000 to modify.

- MPS will compensate you up to \$1,600, or 80 percent of the total costs, whichever is less, to modify your existing dual-fuel system to meet the requirements of MPS' Dual-Fuel Program.
- MPS' Dual-Fuel Program requires you to use electricity as your primary heat source.
- Your system must be inspected and approved by MPS before December 31, 2016.
- After December 31, 2016, regular incentives from MPS will apply (typically up to \$400).

Level 2 Incentive – For existing dual-fuel systems that cost \$2,000 or more to modify.

- MPS will compensate you up to \$2,800, or 80 percent of the total costs, whichever is less, to modify your existing dual-fuel system to meet the requirements of MPS' Dual-Fuel Program.
- MPS requires that you make a ten-year commitment to use electricity as your primary heat source and remain on MPS' Dual-Fuel Program.
- Early termination of your participation in MPS' Dual-Fuel Program will result in a prorated return of the incentive provided by MPS.
- Your system must be inspected and approved by MPS before December 31, 2016.
- After December 31, 2016, regular incentives from MPS will apply (typically up to \$400).

You will not receive the benefits of MPS' low, dual-fuel rate until you modify your dual-fuel system. You may want to make arrangements with heating contractors soon as the heating season is approaching. If you have misplaced your application for MPS' Dual-Fuel Program, please call 218.477.8000, Option 4. If you have already sent us your completed application, thank you!

Please call MPS' Energy Services Manager Dennis Eisenbraun at 218.477.8018 or go to www.mpsutility.com for additional information about MPS' Dual-Fuel Program and other programs.

Sincerely,

Bill Schwandt, PE MBA
General Manager

BS/cjs





OAKPORT ANNEXATION INSIGHTS

February 2014

Information for Oakport Tract 2 Residents...

MAYOR'S MESSAGE

Hello Oakport Tract 2 Residents,

When I took office a few weeks ago, I began a new role as Mayor of Moorhead. This is a big change for me. But lots of other important things remain the same—I still live in the same great neighborhood with good neighbors and good friends.

I've thought about how you might feel as you approach a new role, too. In a few months you and your neighbors will be welcomed into Moorhead and become much appreciated "new" residents of this great community. I see some similarities between your transition and mine. I think for you and your neighbors, the important things will continue to be the important things, and together we will work through any of the issues that may arise.

I am especially mindful of why you and your neighbors have chosen to live in Oakport. Clearly, it is a place beyond the hustle and bustle of the city where there is more room to roam and an opportunity to live a less urban lifestyle than most other areas in Moorhead. Annexation doesn't change your physical surroundings. I assure you neither I, the City Council, nor City staff has an interest in changing what you now know and love about Oakport. Thanks to the vision and foresight of leaders who came before me, the current Rural Residential Zoning District of Oakport Tract 2 assures the lifestyle to which you've become accustomed.



MAYOR WILLIAMS

The orderly annexation decision was made decades ago at a time when the City was requested to extend water and sewer services to Tract 2 in order to address some serious health issues.

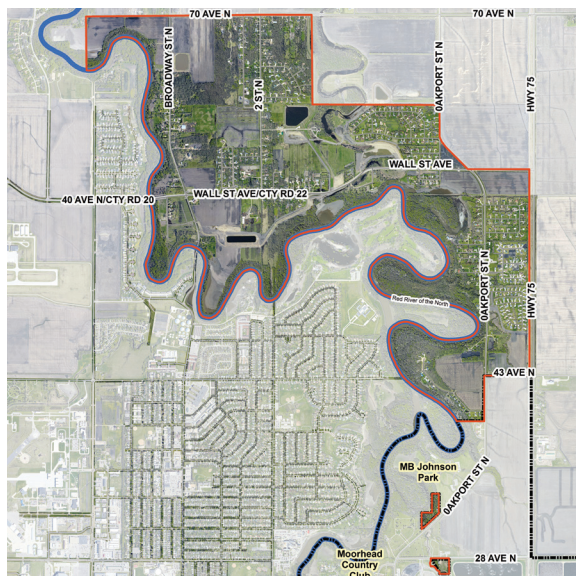
...Mayor's Message continued on Page 3

ANNEXATION 1990 - 2015

- In 1990, the City of Moorhead and Oakport Township entered into a **Joint Resolution for Orderly Annexation** pursuant to Minnesota statutes, and the City, Township, and County entered into a **Joint Powers Agreement**. These documents can be reviewed at www.cityofmoorhead.com/oakport.
- These Agreements led to the **timely extension of wastewater and water distribution systems** to Tract 2 of Oakport Township to address significant wastewater issues at that time.
- The Joint Resolution and Joint Powers Agreement outline the **financing and extension of infrastructure (wastewater, water, electric)** and the application of **land use, zoning, subdivision, and building regulations**.
- The Joint Powers Agreement established the **Oakport Joint Powers Board**, comprised of representatives from Clay County, Oakport Township, and the City of Moorhead, that has authority to make decisions with respect to land use, zoning, building regulations, extension of utility services, bike paths/sidewalks, and street design.
- The City of Moorhead currently provides the following services to Tract 2 residents: zoning, building regulations, sanitary sewer, and municipal water.
- With regard to other traditional municipal services (public safety, street and park maintenance, pest control, etc.), the Orderly Annexation Agreement states that "upon the effective date of annexation of Tract 2, Moorhead will provide municipal services, including but not limited to, fire and police protection".
- The Joint Resolution grants the City of Moorhead sole authority to enact the **initiating resolution** to complete the annexation. The annexation is scheduled to occur January 1, 2015.

TRACT 2 MAP

Boundaries of Tract 2



SERVICE NOTES

THE CITY OF MOORHEAD

will provide municipal services in Tract 2 beginning January 1. The frequency of level of service will be the same as other areas of the City, but just as in other areas of the City, some functions may be provided by private contractors under agreements with the City, especially as we work through the initial annexation transition.

TRASH AND RECYCLING

Garbage, yard waste and branch pick up, and curbside recycling service will be provided by the City of Moorhead beginning in January 2015. You may discontinue private hauler contracts December 31, 2014. Monthly garbage service charges will be part of your Moorhead Public Service (MPS) billing.

Garbage: Household garbage is picked up weekly. A 48-gallon wheeled trash cart is provided for the base monthly collection fee; 64 and 96 gallon carts are available at higher rates. The Public Works Department will contact you in advance of the service charge for cart size preference and to let you know what your collection day will be. Special pickups can be arranged for additional fees, and you can purchase pre-paid bags for occasional use.

"Clean-Up Week" is held the first full week of May. During that time, you can dispose of furniture and many other large trash items at your curb with limited exception for no additional fee.

Recycling: Curbside recycling is voluntary but all residential customers pay for the service. Collection is every other week on your regular trash pick-up day. Recycling bins are available on 3rd floor of City Hall for \$5.00. Recycling materials are separated within the bin by paper sacks. We'll send you additional details on schedules and what materials can be recycled before January.

City Garbage and Recycling Fees are itemized on MPS bill:

Garbage (48gal)	\$9.46
Solid Waste Mgmt. Tax	\$0.92
Recycling	\$2.84
Total	\$13.22

Want more information now?

Check out the Residents/Residential Services/Trash Recycling & Yard Waste section of the City website. Or call the Public Works Office: [218.299.5422](tel:218.299.5422).

UTILITIES

Water and Wastewater: Tract 2 residents have been paying 1.5 times the City water and wastewater rates. Moorhead Public Service will continue to provide water and the City of Moorhead will continue to provide wastewater services to Tract 2 residents, but the rates will be reduced to the standard City residential rates on January 1.

Electric: Moorhead Public Service has taken initial steps to acquire the Tract 2 electric service territory from Red River Valley Cooperative and Xcel Energy; however, these current electric providers may not participate in formal negotiations until the annexation has been completed. Therefore, the buyout will likely not occur for a period of time after the annexation. Following the buyout, MPS will install new electric lines to Tract 2 neighborhoods and residences where required, utilizing existing lines as possible. MPS will be replacing existing meters with MPS meters (by appointment if the meter is located inside the home). Only Tract 2 residents who are upgrading or relocating an existing service will be required to relocate an interior meter to the outside of the house. Residents with off-peak or dual fuel systems are responsible to bring their systems into compliance with the MPS dual fuel program standards if they wish to continue with that program.

Stormwater: All City residents pay a monthly stormwater fee, currently \$10.21 per month. This fee is directed to the cost of managing stormwater runoff for flood prevention and pollution control.

Want more information now?

Check out the Residents/Residential Services/Water & Electricity and the Departments/Engineering/Stormwater Management sections of the City website. Or call the main line: [218.299.5400](tel:218.299.5400).



Mayor's Message continued from Page 1...

The orderly annexation decision was made decades ago at a time when the City was requested to extend water and sewer services to Tract 2 in order to address some serious health issues. Now as we all prepare for the annexation to become effective, we have some work to do. Whether you have lived in Tract 2 all of this time or you moved to your home recently, you undoubtedly have questions. We have received some of these questions and we know there will be many others. City staff has prepared this "Oakport Annexation Insights" in which many of the current questions have been answered. There will be more communication moving forward, including Tract 2 neighborhood meetings, mailings, and postings to the City's website specific to annexation questions and issues.

When you have a minute, check out what your City has going on by browsing our new website www.cityofmoorhead.com. Sign up for e-Notifications on Oakport Annexation issues, but sign up for other things too: recreation updates, business news, service alerts, and more.

In closing I would like to extend a personal invitation to each of you to join me for my monthly "Coffee with the Mayor" meetings in the lobby area of Moorhead Center Mall adjacent to the elevators to City Hall. I hold these meetings on the third Wednesday of each month at 10am and 7pm. Let's get to know one another in our new City of Moorhead roles!

- Mayor Del Rae Williams



Oakport

BRANCHES/YARD WASTE

Leaves, grass clippings, and branches are picked up curbside on your scheduled garbage day, seasonally—usually April through mid-November. For large volumes of yard waste, the City will maintain the existing "self-serve" Oakport compost site located off of Wall Street. You may also drop off yard waste or pick up compost or wood chips at the compost site at 1800 Hwy 75 N.

Still want to burn it? Just as it is now, burning of yard waste is allowed in some circumstances on half-acre or larger lots. Instead of getting a permit from the Dilworth Fire Department, simply get a no-cost permit from the Moorhead Fire Department so the Department is aware of open burning activities. Moorhead's full-time, full-service fire department will become the primary fire service provider in Oakport following the annexation and the City maintains mutual aid agreements with neighboring cities for

additional support. The Moorhead Fire Department is discussing a possibility of "automatic aid" with Fargo Fire Department to help each city cover gaps in the future. Moorhead's Fire Department represents continued advancement in training, equipment, and service delivery for our residents.

Want more information now?

Check out Departments/Fire/Recreational Fires section of the City website.

STREETLIGHTS

Existing streetlights located within Tract 2 will be maintained. When MPS acquires the electric service territory, streetlights will be installed according to City of Moorhead policies and Minnesota Department of Transportation standards. All new streetlights will be energy efficient—LED lights that are "dark sky" compliant to reduce light pollution.

ROADS REMAIN "AS IS"

The Annexation Agreement outlined that existing roadways will remain "as is" following annexation. County roads and bridges in Tract 2 will remain the jurisdiction of Clay County. Roadways transferred from Oakport Township to the City of Moorhead will be included in City's Capital Improvement Program for routine maintenance (wear course/crack repair/seal coats/etc.). Future costs of major maintenance or repairs, such as paving, mill and overlay, rehabilitation, or reconstruction would be processed as special assessments as in other areas of the City only after public notice and required hearings. Street or storm drainage system changes may also be petitioned by property owners.

Existing gravel driveways will not be required to be improved with asphalt or concrete.

RECREATION NOTES

ALL-TERRAIN VEHICLES (ATVS) AND SNOWMOBILES

Recreational vehicles are common in Tract 2. ATVs and snowmobiles can continue to be used on private property after the annexation, and Class 2 ATVs are also allowed on shoulder areas of improved roadways (not state trunk highways—state law).

Also, the Oakport Joint Powers Board has recommended developing routes to allow snowmobiles in the ditch right-of-way of Tract 2 local roads so long as State regulations are followed.

Want more information now?

Check out the ATV link at www.cityofmoorhead.com/oakport section of the City website.

Want to follow the action on the routes?

Sign up for eNotification—Oakport Annexation and you'll be in the know.

PARKS AND TRAILS

Moorhead is committed to park and recreation opportunities throughout the City. Hopefully, you already frequent MB Johnson Park and have seen the wonderful upgrades to the park the past couple of years. There is also land dedicated for parks in Crystal Creek and North Crystal Creek subdivisions. This parkland will be transferred to the City for maintenance responsibilities at the time of annexation. The Moorhead Park Advisory Board and Planning Commission work with neighborhoods and developments throughout Moorhead under an ongoing Capital Improvement Plan for park locations and facility improvements. They are looking forward to working with you on park and recreation issues. Brentwood Park is privately owned and there are no immediate plans to transfer this park to the City.



Oakport



Along the Red River corridor from Tract 2 to very south Moorhead, there are new opportunities for trails and pathways following public acquisition of riverfront properties. The City of Moorhead is currently studying the Red River Corridor for opportunities for a continuous river trail and recreation nodes from

Wall Street Avenue North to 60th Avenue South. The Fargo-Moorhead Metropolitan Council of Governments is coordinating this effort. Please join in this conversation!

Want to participate or get more information?

Upcoming meeting opportunities and progress on the Moorhead River Corridor Study can be found on the FM Metro COG website, www.fmmetrocog.org.

FINANCIAL NOTES

DOLLARS AND CENTS

For more information, call [218.299.5370](tel:218.299.5370).

Monthly Costs		
	Pre-Annexation	Post-Annexation
Water	\$44.28	\$32.52
Wastewater	\$44.95	\$29.94
BRRWD Maintenance	\$8.67	\$8.67
Stormwater	\$0.00	\$10.21
Garbage & Recycling	\$22.98	\$21.37
Pest Control	\$5.00	\$2.70
Forestry	\$0.00	\$4.18
TOTALS	\$125.88	\$109.59
Annual utility expenses will decrease (excluding electricity ¹)		(\$195.48) /year
Annual property taxes for a \$200,000 home value increase		\$531.35 /year
Annual impact post-annexation:		\$335.87 /year²

¹An additional annual utility savings of \$155-\$180 is expected when electric service territory buyout is completed.

²Assumptions:

- 800 CCF Water/Wastewater usage.
- Garbage based on 96 gal. container with Metro Disposal services.
- Pre-annexation, no recycling pick-up. Post-annexation, biweekly curbside recycling pick-up.
- \$200,000 home value with homestead. Check out the City of Moorhead property tax estimator at: www.moorheadproperty.org for your estimated tax rate (link in the left margin).
- Does not include electricity – buyout in process.

“ I’m excited about the recycling services. ”
 - Current Oakport resident



Oakport



First Ave, Moorhead

Photo: North Crystal Creek, Oakport

STAY INFORMED

We'll be in touch with you in the coming months regarding:

- More details on trash schedules and containers
- City Council schedule and voting locations
- Flood Mitigation Update
- Property Maintenance and Code Enforcement
- Other topics? Let us know what you want to hear more about!

Beginning in early March, you will also receive the Moorhead City Insights mailed to all Moorhead residents three times per year.



CONTACT INFORMATION

e-Notification: Sign up for e-Notification on the Oakport Annexation. Choose e-Notification on the homepage of www.cityofmoorhead.com. Select Oakport Annexation from the News category, and any other topics that may interest you.

Website: Most of the information discussed in Oakport Annexation Insights is directly linked to www.cityofmoorhead.com/oakport.

Contact us: We've set up a special email address for your questions: oakport@cityofmoorhead.com or give us a call at **218.299.5370**.

The information in this publication is current as of February 6, 2014.

CODE RED

The City of Moorhead wants to reach you in the event of an emergency, severe weather warning, or disaster striking the community. **CodeRED®** will automatically call you to inform you of the situation and direct you to safety if action is required. **CodeRED®** is a unique system that has the potential to launch calls to the entire City of Moorhead in less than 20 minutes. The warning sent directly to you is tied to physical address and relevant location

to the dangerous event. By keeping you informed and ahead of impending danger, **CodeRED®** will be highly beneficial to you and your family.

For more information regarding the **CodeRED®** emergency notification system, please visit us on the web at www.cityofmoorhead.com or call the City Manager's Office at **218.299.5305**.



City of Moorhead
500 Center Avenue
P.O. Box 779
Moorhead, MN 56560

PRSRP STD
U.S. POSTAGE
PAID
PERMIT NO. 478
Moorhead, MN 56560



OAKPORT ANNEXATION INSIGHTS

October 2014

Information for Oakport Tract 2 Residents

Resident "To Do" List

As the City of Moorhead and Oakport Tract 2 residents prepare for annexation on January 1, 2015, here are a few action items and reminders:

Trash collection/ Transition Steps:

Trash Day:

- **Tuesdays.** Regular garbage will be collected weekly on Tuesdays beginning January 6. Recycling will be collected every other Tuesday beginning January 6 (Recycling route B).

Containers:

- **Sign up by November 1** to select your container size (48, 64, or 96 gallon) www.cityofmoorhead.com/oakport. You'll receive an email confirmation within 48 hours of your submittal. If you do not sign up by November 1, you will receive a 64 gallon tote. Containers will be delivered by December 1. Exchange fees are \$20 for delivery and \$10 if exchanged at the Solid Waste Transfer Station. Questions? Call us at **218.299.5347**
- Recycling bins are \$5 prior to October 31; price increases to \$10 on November 1, 2014. Recycling is optional but encouraged.
- **Cancel** your private garbage contract to align with the City service beginning January 6, 2015.



Insurance:

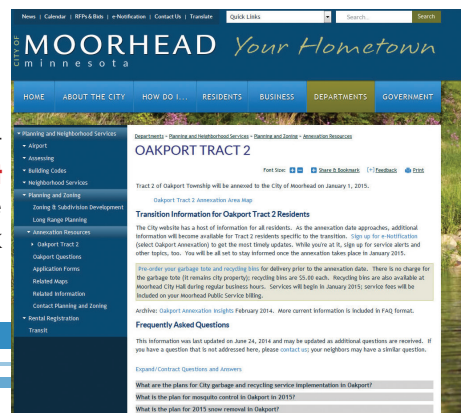
- **Inform** your insurance agent of the annexation and discuss how this may affect your policy rate. Some property owners may be eligible for a reduction in premium based on distance to the City of Moorhead Fire Station.

E-Notification:

- **Register** at www.cityofmoorhead.com. E-Notification is a link at the top of the homepage. If you sign up for e-Notification, you will receive email alerts on categories you select, such as Oakport Annexation, Service Alerts, and any other topics that may interest you.

CodeRED:

- **Register** at www.cityofmoorhead.com/CodeRED
This system will notify you via telephone of emergency situations, critical community alerts, severe thunderstorm warnings, flash flood warnings and tornado warnings within moments of being issued by the National Weather Service (NWS).



The Frequently Asked Questions at www.cityofmoorhead.com/oakport has been expanded. Many of these issues may be of interest to you. Check it out!



Your Moorhead Neighborhood



Neighborhood Block Clubs:

Oakport already has a great neighborly quality. Consider registering or starting a neighborhood block club for your specific neighborhood to receive newsletters and learn about events such as the annual "Night to Unite" in August and other opportunities. There are dozens of block clubs in Moorhead, and this is one more way Moorhead communicates with residents. For more information, visit the City website or contact Community Policing Coordinator at **218.299.5143** for information.

Home Improvements:

Check out the City website for home improvement loans and programs for Moorhead residents. There's a property tax rebate for major home improvements and a number of different financing opportunities. With the exception of the property tax rebate, most of these special loan programs have household income limits. More details are available on the City website, or contact Community Development staff at **218.299.5375**.

Being Neighborly:

The City codes/regulations address many common concerns expressed by residents, including:

- Grass, weeds and mowing
- Parking on grass
- Pet control, such as barking dogs
- Recreational Fires
- Noise

For specifics, you can access the requirements at cityofmoorhead.com/citycode. If you have a neighborhood concern or question, please contact the Neighborhood Services Division at neighborhood.services@cityofmoorhead.com or **218.299.5434** for assistance.

Hunting:

The Moorhead Police Department is currently reviewing options for limited hunting within Tract 2 following annexation.

Emergency Sirens:

Two new emergency warning sirens are planned for the Tract 2 area. Final locations are under review and the sirens are anticipated to be placed in 2015.

Updates & Additional Details

Street Lights:

Following acquisition of the electric service territory, Moorhead Public Service (MPS) will hold future public input opportunities regarding street lights in the Tract 2 area. After public input, a new or revised City street light policy regarding street lights in Tract 2 may be required. Based on that policy, MPS will request Moorhead City Council approval of a streetlight plan, which will include energy efficient - LED, dark sky complaint streetlight fixtures. The cost of streetlight installation is financed by the City of Moorhead and is not directly billed to Oakport Tract 2 residents.

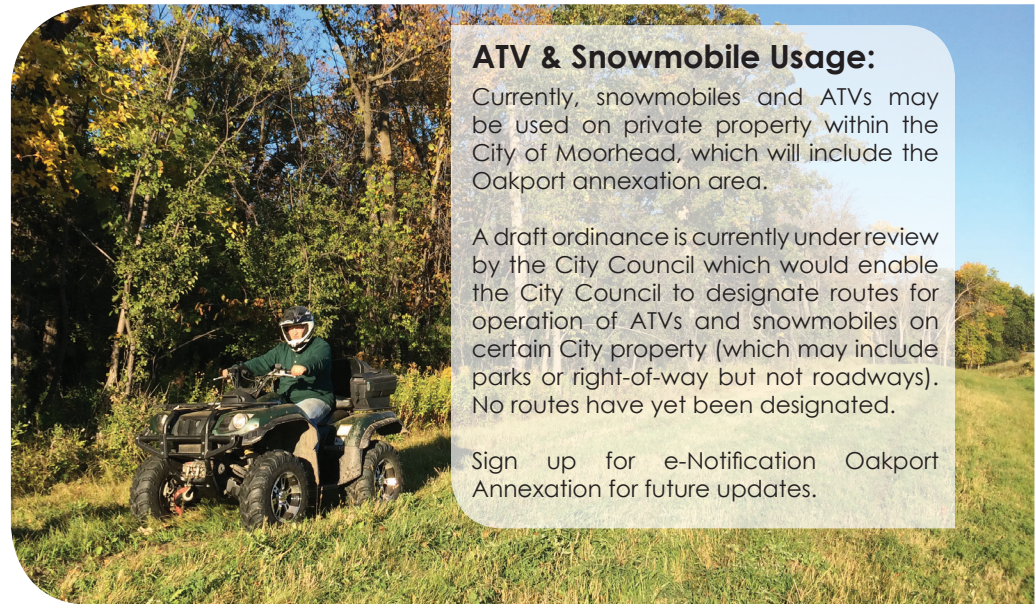


ATV & Snowmobile Usage:

Currently, snowmobiles and ATVs may be used on private property within the City of Moorhead, which will include the Oakport annexation area.

A draft ordinance is currently under review by the City Council which would enable the City Council to designate routes for operation of ATVs and snowmobiles on certain City property (which may include parks or right-of-way but not roadways). No routes have yet been designated.

Sign up for e-Notification Oakport Annexation for future updates.



Elections and Representation:

- Voting locations for 2014 will not change
- There are no elections in 2015
- Residents will receive mailed voting information prior to the 2016 elections
- Oakport Tract 2 residents will become part of Moorhead's First Ward on January 1, 2015. First Ward Council representatives are:
 - Nancy Otto (**218.233.2834/nancy.otto@cityofmoorhead.com**)
 - Mari Dailey (**218.299.5549/mari.dailey@cityofmoorhead.com**)
- City Council meetings may be viewed on Moorhead Community Access Media channel (channel information depends on your cable TV provider). Additional public access information and links to City meetings on-demand can be accessed on the City website - www.cityofmoorhead.com.



Zimbra

cserocki@mpsutility.com

City of Moorhead: Oakport Neighborhood Meeting Reminder

From : City of Moorhead <noreply@cityofmoorhead.com> Mon, Mar 24, 2014 05:15 PM
Subject : City of Moorhead: Oakport Neighborhood Meeting Reminder
To : Lisa Bode <lisa.bode@ci.moorhead.mn.us>
Reply To : noreply@cityofmoorhead.com

Having trouble viewing this email? [Click Here.](#)

Oakport Neighborhood Meeting Reminder

Attend the Oakport Open House Thursday, March 27 from 5 - 7 pm at the Hjemkomst Center, 202 1st Avenue North

Post Date: 03/24/2014 05:01 pm

Tract 2 residents:

Please join your neighbors at this open house. You can ask any questions you may have. You can check out the 3 sizes of trash containers in person and place an order for later delivery. The dark-sky compliant street light will also be on display. Mayor Williams and members of the City Council will attend, along with representatives of these City departments:

- Public Works
- Engineering
- Fire
- Police
- Planning and Neighborhood Services
- Moorhead Public Service

See you there!

To change your eNotification preference, [Click Here.](#) To unsubscribe from all City of Moorhead eNotifications, [Click Here.](#)

Zimbra

cserocki@mpsutility.com

City of Moorhead: Oakport Annexation Information

From : City of Moorhead <noreply@cityofmoorhead.com>

Thu, Jun 26, 2014 09:01 AM

Subject : City of Moorhead: Oakport Annexation Information**To** : Lisa Bode <lisa.bode@ci.moorhead.mn.us>**Reply To** : noreply@cityofmoorhead.comHaving trouble viewing this email? [Click Here](#).**Oakport Annexation Information****Upcoming Meetings and Information Updates***The Oakport Joint Powers Board has scheduled discussions of interest to many Oakport residents.***Post Date:** 06/26/2014 09:00 am

- July 23 – 7:30 am – 1st Floor City Hall – Hunting Discussion with Moorhead Police Chief David Ebinger
- August 23 – 7:30 am – 1st Floor City Hall – Street Light Discussion with Moorhead Public Service General Manager Bill Schwandt

The public is welcome to attend these meetings.

Please remember to visit the [Oakport page](#) of the City website to select your trash container size so they can be ordered and delivered prior to the annexation. While you're there, check out recent updates to the Frequently Asked Questions.To change your eNotification preference, [Click Here](#). To unsubscribe from all City of Moorhead eNotifications, [Click Here](#).


Zimbra

cserocki@mpsutility.com

Meeting for Oakport Neighborhood RRVCPA Customers

From : City of Moorhead <noreply@cityofmoorhead.com>
Subject : Meeting for Oakport Neighborhood RRVCPA Customers
To : Planning Forward <planning@ci.moorhead.mn.us>
Reply To : noreply@cityofmoorhead.com

Fri, Jul 08, 2016 04:40 PM

 1 attachment

Meeting for Oakport Neighborhood RRVCPA Customers
Transfer of Electric Service to Moorhead Public Service
Meeting July 12 to discuss electric service transition details

Post Date: 07/08/2016 4:16 pm

Red River Valley Cooperative Power Association and Moorhead Public Service will meet with current RRVCPA customers in the Oakport Annexation Area that will soon be served by MPS.

Meeting Date Tuesday, July 12
Time: 6 pm
Location: Hjemkomst Center Auditorium
202 1 Ave N, Moorhead

Please note that this service transfer does not yet include Xcel Energy customers. The Xcel electric service transfer is expected in 2017 and information on that service transfer will be made available at a later date.

Having trouble viewing this email? [Click Here](#).

To change your eNotification preference, [Click Here](#).

To unsubscribe from all City of Moorhead eNotifications, [Click Here](#).


 **Unknown <text/html>**
5 KB

EXHIBIT D

[[Utility Letterhead]]

October ____, 2016

Re: Notice of Minnesota Public Utilities Commission Proceeding
MPUC Docket No: _____

Dear Customer:

As you know, your electric service is in the process of being transferred from Red River Valley Cooperative Power Association to Moorhead Public Service. The utilities are in the process of formally updating the electric service maps on file with the Minnesota Public Utilities Commission (MPUC) to reflect MPS as the electric service provider. This letter provides information concerning that proceeding before the MPUC.

The MPUC is a state agency with jurisdiction over electric service territory boundaries. The MPUC requires that all customers located in an area involved in a change in the service territory maps be formally notified of the proceeding in which the service territory maps will be approved. This letter provides that formal notice.

If you wish to address the MPUC concerning this change in maps, you may contact the MPUC Consumer Affairs Office at: 121 Seventh Place E., Suite 350, Saint Paul, Minnesota 55101, consumer.puc@state.mn.us, or call 651-296-0406. You should reference MPUC Docket No. _____. It is completely optional and voluntary to contact the MPUC.

We value your business and will continue to strive to provide the highest quality service. Please contact me if you have any questions.

Respectfully,

PROPOSED SERVICE LIST

Re: In the Matter of the Joint Request of the Moorhead Public Service Commission and Red River Valley Cooperative Power Association to Modify Electric Service Territory Boundaries
MPUC Docket: _____

Via Electronic Filing

Daniel P. Wolf
Executive Secretary
Minnesota Public Utilities Commission
350 Metro Square Building
121 Seventh Place East
St. Paul, MN 55101

Via Electronic Filing

Ms. Sharon Ferguson
MN Department of Commerce
85 7th Place East, Suite 500
St. Paul, MN 55101-2198

Via Electronic Filing

Julia Anderson
Office of the Attorney General-DOC
1800 BRM Tower
445 Minnesota Street
St. Paul, MN 55101-2134

Via Electronic Filing

John Lindell
Office of the Attorney General-RUD
1400 BRM Tower
445 Minnesota Street
St. Paul, MN 55101-2130

Via Electronic Mail

Lauren Brorby
CEO
109 2nd Ave E.
P.O. Box 358
Halstad, MN 56548
lbrorby@minnkota.com
(Red River Valley Cooperative Power Association)

Via Electronic Mail

Sara McGrane
Felhaber Larson
220 South 6th Street
Suite 220
Minneapolis, MN 55402-4504
smcgrane@felhaber.com
(Red River Valley Cooperative Power Association)

Via Electronic Mail

Bill Schwandt
General Manager
500 Center Avenue
P.O. Box 779
Moorhead, MN 56561-0779
bschwandt@mpsutility.com
(Moorhead Public Service)

Courtesy Copies

Ms. Kathleen M. Brennan
McGrann Shea Carnival Straughn
& Lamb, Chartered
800 Nicollet Mall
Suite 2600
Minneapolis, MN 55402-7035
kmb@mcgrannshea.com
(Moorhead Public Service)