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June 19, 2014



EXECUTIVE SECRETARY  
PUBLIC SERVICE COMMISSION  
NORTH DAKOTA STATE CAPITAL  
600 EAST BOULEVARD – DEPT 408  
BISMARCK, ND 58505-0480

**MONTANA-DAKOTA UTILITIES CO.  
MENARD INC. – BURLEIGH COUNTY, ND  
PUBLIC CONVENIENCE & NECESSITY**

Please find enclosed for filing in the above named matter an Objection to MDU's Request for Oral Argument. I have included one original and seven copies. An electronic copy of the document is also being sent to you.

If you have any questions, please do not hesitate to contact me.

Yours truly,

Matthew H. Olson

Enclosures

cc: Ordean "Lars" Nygren – Capital Electric Cooperative, Inc.  
Daniel S. Kuntz – Montana-Dakota Utilities Co.  
Wace C. Mann

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Montana-Dakota Utilities Co., a Division of MDU  
Resources Group, Inc.  
Menard Inc. – Burleigh County, ND  
Public Convenience & Necessity

Case No. PU-13-871

**OBJECTION TO MDU'S REQUEST FOR ORAL ARGUMENT**

**June 19, 2014**

On June 13, 2014, Montana-Dakota Utilities Co. (herein MDU) requested oral argument before the Commission. Capital Electric Cooperative (herein CEC) respectfully requests that MDU's request be denied.

Oral argument in this matter has already taken place; it took place during a full day hearing on May 2. During that hearing, testimony was given, evidence presented, and both MDU and CEC made their oral arguments and were fully heard by the Commission regarding the applicable law and the facts presented at the hearing. The fact that MDU has concerns regarding the Commission's "proper interpretation of the evidence and applicable law in this proceeding" does not necessitate further oral argument. If the Commission wishes to review or more fully understand either parties' arguments on a certain point of fact or law, the record is available to it for that exact purpose. Rehashing the evidence again now, almost seven weeks removed from the presentation of the evidence in this matter, is not necessary for the Commission to reach a decision in this matter. The evidence and arguments have been ably presented, and no further hearing is necessary for the Commission to render its decision.

If the Commission is inclined to grant MDU's request, MDU should clearly identify

the issues on which it believes the Commission needs to hear further arguments and the Commission should determine the constraints of the argument and the issues to be discussed. Right now, MDU's request lacks specificity and MDU should not be given another 45 minutes for a free-for-all for MDU to, once again, present its case and to make arguments that MDU may have failed to adequately make at the May 2<sup>nd</sup> hearing. The time for evidence and argument is over. After listening to the two working sessions, it is clear that the Commission is apprised of the law and has a full record to rely on to issue its decision. The rehashing of this matter would be fruitless.

For the above reasons, CEC request that MDU's request be denied.

Dated this 19<sup>th</sup> day of June, 2014.

PRINGLE & HERIGSTAD, P.C.

By: 

Carol K. Larson - #04406

Matthew H. Olson - #06182

Attorneys for Capital Electric Cooperative, Inc.

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STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Montana-Dakota Utilities Co., a Division of MDU  
Resources Group, Inc.  
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Case No. PU-13-871

AFFIDAVIT OF SERVICE BY REGULAR MAIL

STATE OF NORTH DAKOTA     )  
  ) ss.  
COUNTY OF WARD             )

**LaRae A. Thomas**, being first duly sworn, deposes and says:

That she is a citizen of the United States of America, of legal age, and is not a party to nor interested in the above entitled action; that on the 19<sup>th</sup> day of June, 2014, this Affiant served by depositing in the mailing department of the United States Post Office at Minot, North Dakota, a sealed envelope with postage thereon duly prepaid, containing a true and correct copy of the following documents in the above entitled action:

1. **CAPITAL ELECTRIC COOPERATIVE, INC.'S OBJECTION TO MDU'S REQUEST FOR ORAL ARGUMENT**

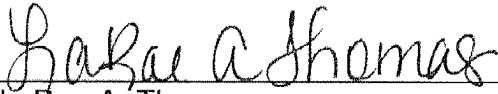
That said envelopes were addressed to the following person at her known address as follows:

Daniel S. Kuntz  
Montana-Dakota Utilities Co.  
400 North Fourth Street  
Bismarck, ND 58502-5650

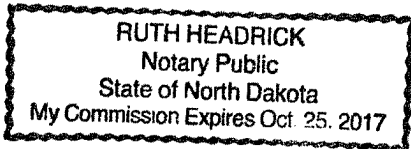
Executive Secretary  
ND Public Service Commission  
600 East Boulevard – Dept 408  
Bismarck, ND 58505-1480


Wade Mann, Director  
Office of Administrative Hearings  
2911 North 14<sup>th</sup> Street – Suite 303  
Bismarck, ND 58503

That the above provisions were duly mailed in accordance with the provisions of the North Dakota Rules of Civil Procedure.

  
LaRae A. Thomas

SUBSCRIBED AND SWORN to before me this 19<sup>th</sup> day of June, 2014.



  
Notary Public  
For the State of North Dakota