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OF COUNSEL
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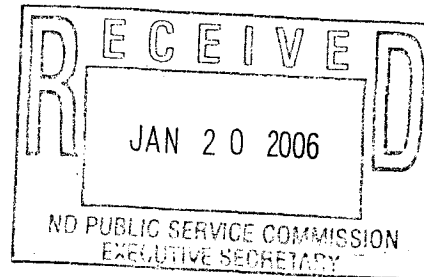
RETIRED
THOMAS A. WENTZ
MARK F. PURDY
JAN M. SEBBY

KENNETH G. PRINGLE
(1914-1983)

MITCHELL H. MAHONEY
(1929-1996)

ROGER O. HERIGSTAD
(1919-2003)

January 19, 2006



CLERK OF DISTRICT COURT
BURLEIGH COUNTY COURTHOUSE
PO BOX 1013
BISMARCK, ND 58502-1013

**CAPITAL ELECTRIC COOPERATIVE, INC. vs.
THE CITY OF BISMARCK, and
MONTANA-DAKOTA UTILITIES, INC., A DIVISION OF MDU RESOURCES GROUP,
INC., and THE PUBLIC SERVICE COMMISSION OF NORTH DAKOTA
DOCKET NUMBER 05-C-2303**

Enclosed for filing in connection with the above referenced matter are the following documents:

1. Notice of Hearing; and
2. Affidavit of Service by United States Mail.

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

Yours truly,

Carol K. Larson
lat

Enclosures

cc w/ encl: Lars Nygren
Jerome C. Kettleison
William W. Binek
Randall J. Bakke

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF BURLEIGH

SOUTH CENTRAL JUDICIAL DISTRICT

Capital Electric Cooperative, Inc.)

Plaintiff,)

vs.)

The City of Bismarck, North Dakota)

and)

Montana-Dakota Utilities, Inc., a)
Division of MDU Resources Group,)
Inc.)

and)

The Public Service Commission of)
North Dakota)

Defendants.)

RECEIVED

JAN 20 2005

NORTH DAKOTA
PUBLIC SERVICE
COMMISSION

NOTICE OF HEARING

EXECUTIVE SECRETARY

Docket Number 05-C-2303

PLEASE TAKE NOTICE that oral argument has been scheduled on **Defendant City of Bismarck's Motion to Dismiss or in the Alternative for a More Definite Statement** before the Honorable Bruce B. Haskell, District Judge, at 4:00 p.m. on the 2nd day of March, 2006, in the Burleigh County Courthouse, Bismarck, North Dakota, or as soon thereafter as counsel may be heard.

Dated this 19th day of January, 2006.

PRINGLE & HERIGSTAD, P.C.

By: Carol K. Larson

Carol K. Larson - #04406

Attorneys for Capital Electric Cooperative, Inc.

Pringle & Herigstad, P.C.

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STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF BURLEIGH

SOUTH CENTRAL JUDICIAL DISTRICT

Capital Electric Cooperative, Inc.)
)
 Plaintiff,)
)
 vs.)
)
 The City of Bismarck, North Dakota)
)
 and)
)
 Montana-Dakota Utilities, Inc., a)
 Division of MDU Resources Group,)
 Inc.)
)
 and)
)
 The Public Service Commission of)
 North Dakota)
)
 Defendants.)

**AFFIDAVIT OF SERVICE BY
UNITED STATES MAIL**

Docket Number 05-C-2303

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 day of January, 2006, 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. Notice of Hearing.

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

Jerome C. Kettleon
Attorney at Law
PO Box 400
Bismarck, ND 58502-0400

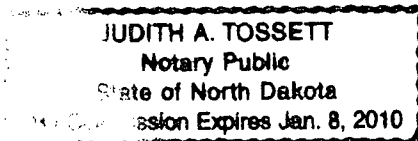
William W. Binek
PUBLIC SERVICE COMMISSION
600 E Boulevard Avenue, Department 408
Bismarck, ND 58505-0480

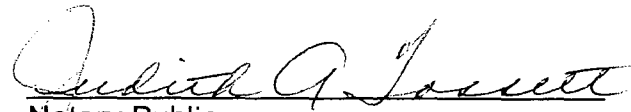
Randall J. Bakke
Smith Bakke Porsborg & Schweigert
116 North 2nd Street
PO Box 460
Bismarck, ND 58502-0460

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 day of January, 2006.




Notary Public
For the State of North Dakota
My Commission expires: 01-08-2010