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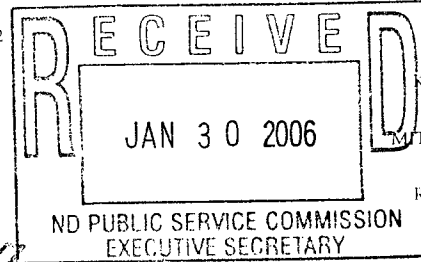
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January 27, 2006

VIA FAX TRANSMISSION
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HONORABLE BRUCE B. HASKELL
JUDGE OF DISTRICT COURT
SOUTH CENTRAL JUDICIAL DISTRICT
PO BOX 1013
BISMARCK, ND 58502

**CAPITAL ELECTRIC COOPERATIVE V. CITY OF BISMARCK, ET. AL.
BURLEIGH COUNTY CIVIL NO. 05-c-2303**

Dear Judge Haskell:

Thank you for your letter of January 24, 2006. As you have indicated that you have adequate information to rule on the City's Motion, Capital withdraws its request for a hearing.

Yours truly,

Carol K. Larson
lat

cc: William W. Binek
Randall J. Bakke
Jerome C. Kettleson