



February 21, 2006

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The Honorable Bruce B. Haskell
Judge of the District Court
P.O. Box 1013
Bismarck, ND 58502-1013

Re: Capital Electric Cooperative, Inc. v. City of Bismarck, et al
Civil No: 05-C-2303

Dear Judge Haskell:

Per the Court's letter of February 9, 2006, please be advised the City of Bismarck believes one hour could be sufficient for the hearing scheduled for March 2, 2006, so long as each party is given equal time to address the issues. As this matter is being treated as an appeal from the City Commission's decision, we will be filing the record from the proceedings below with the clerk in the near future.

The City would have no objection if the Court wishes to postpone the hearing so that more time can be allocated for the hearing.

Very truly yours,


Randall J. Bakke

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