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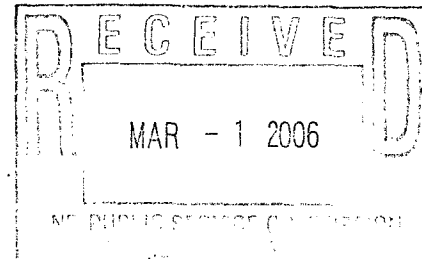
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March 1, 2006

**HAND-DELIVERED**

Ms. Debra Simenson  
Clerk of the District Court  
Burleigh County  
P.O. Box 1055  
Bismarck, ND 58502-1055



Re: *Capital Electric Cooperative, Inc. v. Montana-Dakota Utilities Co, et al*  
*Civil No. 05-C-2303*

Dear Ms. Simenson:

Enclosed for filing in the above-entitled matter is Brief of Montana-Dakota Utilities Co. in Response to Plaintiff's Motion for Continuance, together with Affidavit of Service.

Thank you for your attention to this matter.

Very truly yours,

PEARCE & DURICK

By

A handwritten signature in dark ink, appearing to be "JCK", written over a horizontal line.

Jerome C. Kettleison  
Phone: (701) 333-0104  
Email: [ick@pearce-durick.com](mailto:ick@pearce-durick.com)

JCK/ef

Enclosures

cc. (w/encls.) Honorable Bruce B. Haskell - Hand-Delivered  
(w/encls.) Carol Larson - Via Facsimile & Regular Mail  
(w/encls.) Randall J. Bakke - Via Facsimile & Regular Mail  
(w/encls.) William W. Binek - Via Facsimile & Regular Mail

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF BURLEIGH

SOUTH CENTRAL JUDICIAL DISTRICT

Capital Electric Cooperative, Inc., )

CIVIL NO. 05-C-2303

Plaintiff, )

vs. )

AFFIDAVIT OF SERVICE

The City of Bismarck, North Dakota, )  
and )

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

The Public Service Commission of )  
North Dakota, )

Defendants. )

STATE OF NORTH DAKOTA )

) ss.

COUNTY OF BURLEIGH )

Evelyn Froebe, being first duly sworn on oath, does depose and say: That she is over the age of eighteen years, and not a party to the above-entitled matter;

That on the 1st day of March, 2006, this affiant served a true and correct copy of the following documents in the above-captioned action:

- (1) BRIEF OF MONTANA-DAKOTA UTILITIES CO. IN RESPONSE TO PLAINTIFF'S MOTION FOR CONTINUANCE

That the copies of the above documents were enclosed and secured in an envelope with postage duly prepaid and addressed as follows:

Carol Larson  
Pringle & Herigstad, P.C.  
2525 Elk Drive  
P.O. Box 1000  
Minot, ND 58702-1000  
*Attorney for Capital Electric Cooperative, Inc.*

**VIA FACSIMILE & REGULAR MAIL**  
**(701) 857-1361**

Randall J. Bakke  
Attorney at Law  
116 North 2nd Street  
P.O. Box 460  
Bismarck, ND 58502-0460  
*Attorney for The City of Bismarck, North Dakota*

**VIA FACSIMILE & REGULAR MAIL**  
**258-6498**

William W. Binek  
Public Service Commission  
State Capitol  
Bismarck, ND 58505-0480  
*Attorney for The Public Service Commission of North Dakota*

**VIA FACSIMILE & REGULAR MAIL**  
**328-2410**

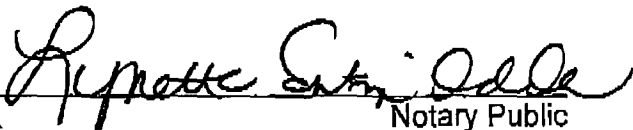
To the best of affiant's knowledge, information and belief, such address as given above was the actual post office address of the parties intended to be so served.

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

  
\_\_\_\_\_  
Evelyn Froebe

Subscribed and sworn to before me this 1st day of March, 2006.



  
\_\_\_\_\_  
Notary Public