

STATE OF NORTH DAKOTA

IN DISTRICT COURT

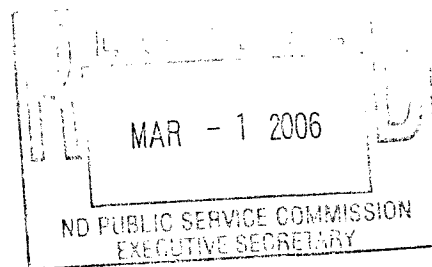
COUNTY OF BURLEIGH

SOUTH CENTRAL JUDICIAL DISTRICT

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

**MOTION OF CONTINUANCE  
AND FOR SCHEDULING ORDER**

**Docket Number 05-C-2303**



Pursuant to Rule 3.2 and 6.1 of the North Dakota Rules of Court, Plaintiff, Capital Electric Cooperative, Inc., makes this expedited Motion for Continuance. The basis for this Motion is more fully explained in the attached brief. This Motion is supported by the attached Brief and Affidavit, and all of the materials contained in the record.

The Motion for Continuance has been promptly filed and good cause having been shown, the continuance should be granted. Capital requests the time allotted on March 2, 2006, to be converted to a telephone conference to allow the court and the parties to clarify the procedural matters and establish a scheduling order.

Dated this 14<sup>th</sup> day of March, 2006.

PRINGLE & HERIGSTAD, P.C.

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