

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Capital Electric Cooperative, Inc. vs
Montana-Dakota Utilities Co.
Complaint

Case No. PU-05-551

NOTICE OF HEARING

March 13, 2006

On February 10, 2006, following the February 9, 2006 hearing in this proceeding, the Commission held a work session for the purpose of discussing the best course of action for the Commission taking into consideration the pending action before the District Court regarding franchise issues. The Commission decided that the most appropriate action would be to continue this proceeding for an indefinite period of time until the issue of city franchise rights is finally determined.

The Commission proposed issuing a Continuance order on its February 22, 2006 Commission meeting agenda. The agenda item was held over to the Commission's March 7 meeting, and was later withdrawn from the agenda.


On March 6, 2006, Capital Electric Cooperative, Inc. (Capital) filed a Motion and Brief for Hearing on "Continuance" challenging the Commission's right to continue this proceeding. Capital requested an opportunity to be heard and make oral argument on the Continuance order.

A **public hearing** on this matter will be held **March 23, 2006 beginning at 10:00 a.m. CST** in the Commission hearing room, State Capitol, 12th Floor, Bismarck, North Dakota 58505. The issue to be considered in this matter is whether the Commission has authority to issue an order continuing the proceeding for an indefinite period of time until the issue of city franchise rights is finally determined.

For more information contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400; or Relay North Dakota 1-800-366-6888 TTY. If you require any auxiliary aids or services, such as readers, signers, or Braille materials please notify Illona A. Jeffcoat-Sacco, Executive Secretary.

PUBLIC SERVICE COMMISSION


Susan E. Wefald
Commissioner


Tony Clark
President


Kevin Cramer
Commissioner