

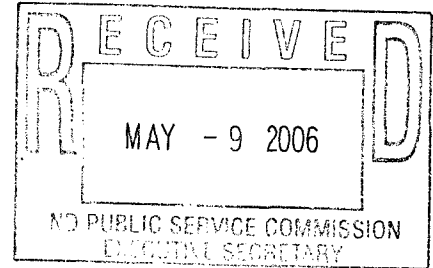


WILLIAM P. PEARCE
PATRICK W. DURICK
B. TIMOTHY DURICK
GARY R. THUNE
DAVID E. REICH
JEROME C. KETTLESON
LARRY L. BOSCHEE ••
LAWRENCE BENDER, PC •
JONATHAN P. SANSTEAD
TIFFANY L. JOHNSON

ATTORNEYS AT LAW
314 EAST THAYER AVENUE
P.O. BOX 400
BISMARCK, NORTH DAKOTA 58502

TELEPHONE (701) 223-2890
FAX (701) 223-7865
E-MAIL: law.office@pearce-durick.com

May 8, 2006



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 are:

- (1) Notice of Motion;
- (2) Motion to Dismiss Amended Complaint and Notice of Appeal;
- (3) Brief in Support of Motion to Dismiss Amended Complaint and Notice of Appeal; and
- (4) Affidavit of Service.

Thank you for your attention to this matter.

Very truly yours,

PEARCE & DURICK

By 

Jerome C. Kettleison
Phone: (701) 333-0104
Email: jck@pearce-durick.com

JCK/ef

Enclosures

cc. (w/encls.) Carol Larson
(w/encls.) Randall J. Bakke
(w/encls.) William W. Binek