

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF BURLEIGH

SOUTH CENTRAL JUDICIAL DISTRICT

Capital Electric Cooperative, Inc.,)
)
Plaintiff,)

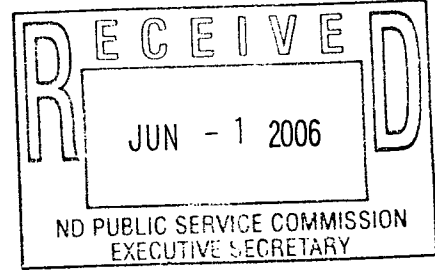
v)

The City of Bismarck, North Dakota,)
)
and)

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

and)

The Public Service Commission of)
North Dakota,)
)
Defendants.)
.....)



ORDER

Case No. 05-C-2303

Defendant MDU's Motion for Dismissal of Amended Complaint is GRANTED. The only reason the Court issued its Order allowing Capital to file the Amended Complaint was because Capital insisted that the Court issue such an Order, even though, in the Court's opinion, the Court had already decided all pending issues.

Dated at Bismarck, North Dakota, this 30th day of May, 2006.

BY THE COURT:

Bruce B. Haskell, District Judge
South Central Judicial District

FILED IN DISTRICT COURT
SOUTH CENTRAL JUDICIAL DISTRICT