

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.)

NOTICE OF ENTRY
OF JUDGMENT

The City of Bismarck, North Dakota,)

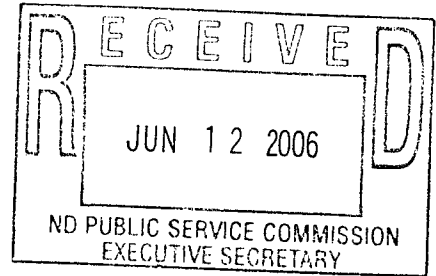
and)

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

Defendant and Counterclaimant)
and)

The Public Service Commission of)
North Dakota,)

Defendants.)



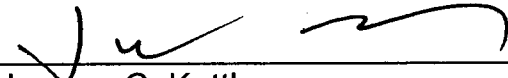
YOU ARE HEREBY NOTIFIED that Judgment has been entered in the above-entitled matter on the 8th day of June, 2006. A copy of the Judgment is attached.

Dated at Bismarck, North Dakota, this 9 day of June, 2006.

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

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Capital Electric Cooperative, Inc.,)

CIVIL NO. 05-C-2303

Plaintiff,)

vs.)

JUDGMENT

The City of Bismarck, North Dakota,)

and)

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

Defendant and Counterclaimant)
and)

The Public Service Commission of)
North Dakota,)

Defendants.)

The Court, the Honorable Bruce Haskell presiding, entered its Order on May 30, 2006 dismissing the Amended Complaint of the plaintiff; the Court having earlier decided all pending issues in Orders dated:

1. March 14, 2006, in which the Court denied plaintiff's Appeal from Findings, Conclusions, Decision and Order issued by the Bismarck Board of City Commissioners on November 14, 2005; in the same Order the Court dismissed the Counterclaim of defendant Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., without prejudice;

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Clk. of Crt. Burleigh Co.

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2. January 30, 2006 in which the Court ordered that the action brought by plaintiff Capital Electric Cooperative, is not properly brought as a declaratory judgment action.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Judgment is entered in accord with the Court's Orders: that the plaintiff's Appeal from Findings, Conclusions, Decision and Order issued by the Bismarck Board of City Commissioners on November 14, 2005 is denied; that the Counterclaim of defendant Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., is dismissed without prejudice; that the Declaratory Judgment Action brought by the plaintiff is dismissed.

Dated this 8th day of June, 2006.

BY THE COURT



Clerk of the District Court