

COPY

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF BURLEIGH

SOUTH CENTRAL JUDICIAL DISTRICT

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

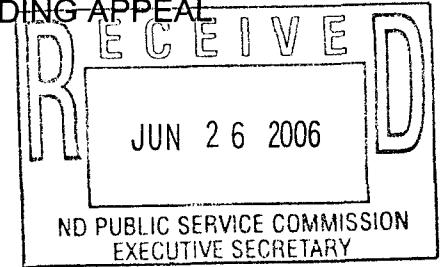
CIVIL NO. 06-C-1177

Appellant,)
vs.)

AMENDED NOTICE OF MOTION
FOR STAY PENDING APPEAL

North Dakota Public Service Commission)
and Capital Electric Cooperative, Inc.)

Appellees)



TO: NORTH DAKOTA PUBLIC SERVICE COMMISSION AND
CAPITAL ELECTRIC COOPERATIVE, INC.

PLEASE TAKE NOTICE that this is an Amended Notice of Motion for Stay Pending Appeal. Further take notice that the undersigned will bring the attached motion on for hearing before the Court before the Honorable Gail Hagerty, in the Burleigh County Courthouse in the City of Bismarck, North Dakota, at 9:30 a.m., on July 21, 2006, or as soon thereafter as counsel can be heard.

You are required to serve before the date of the hearing all returns and supporting instruments to be used at the hearing.

Dated at Bismarck, North Dakota, this 26 day of June, 2006.

Respectfully submitted,

Montana-Dakota Utilities Co.,
a Division of MDU Resources Group, Inc.
Daniel S. Kuntz (ID# 03490)
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MDU Resources Group, Inc.
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P.O. Box 5650
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STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF BURLEIGH

SOUTH CENTRAL JUDICIAL DISTRICT

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

CIVIL NO. 06 C 1177

vs. Appellant,

MOTION FOR STAY OF
PUBLIC SERVICE COMMISSION
ORDER PENDING APPEAL

North Dakota Public Service Commission
and Capital Electric Cooperative, Inc.

Appellees

The Public Service Commission ("PSC"), entered its Order on June 22, 2006 in Case No. PU-05-551, styled Capital Electric Cooperative, Inc. vs. Montana-Dakota Utilities, Co. The Order directed Montana-Dakota Utilities Co. ("MDU"), a Division of MDU Resources Group, Inc. to:

1. Within 30 days, cease and desist from providing electric service to Boulder Ridge First Addition to the City of Bismarck and from further extending its electric service in the area; and
2. Offer to sell to Capital, and Capital shall purchase from MDU, at book value, the distribution facilities located in and used by MDU to serve Boulder Ridge First Addition.

MDU, having filed its Notice of Appeal herein, requests that this Court stay the Order of the PSC above pending appeal by MDU of the PSC Order to South Central District Court pursuant to N.D.C.C. §§ 28-32-42 and 28-32-48, for the reasons more fully set forth in the attached brief.

RECEIVED & FILED

JUN 23 2006

Cik. of Crt. Burleigh Co.

Dated at Bismarck, North Dakota, this 23 day of June, 2006.

Respectfully submitted,

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

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