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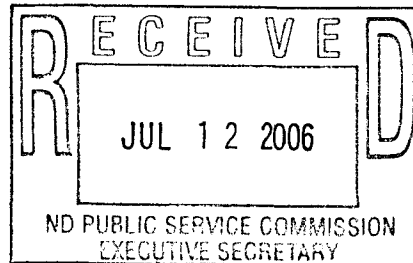
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MITCHELL H. MAHONEY
(1929-1996)
ROGER O. HERIGSTAD
(1919-2003)

July 11, 2006



CLERK OF DISTRICT COURT
BURLEIGH COUNTY COURTHOUSE
PO BOX 1013
BISMARCK, ND 58502-1013

**CAPITAL ELECTRIC COOPERATIVE, INC. vs. THE CITY OF BISMARCK, and
MONTANA-DAKOTA UTILITIES, INC., A DIVISION OF MDU RESOURCES
GROUP, INC., and THE PUBLIC SERVICE COMMISSION OF NORTH DAKOTA**

DOCKET NUMBER 05-C-2303

Enclosed for filing in connection with the above referenced matter are the following documents:

1. Notice of Appeal;
2. Order for Transcript; and
3. Affidavit of Service.

If you have any questions on the enclosed, please do not hesitate to contact me.

Yours truly,

A handwritten signature in cursive script that reads "Carol K. Larson".

Carol K. Larson
lat

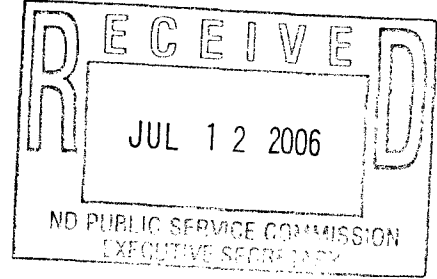
Enclosures

cc w/ encl: Jerome C. Kettleson
William W. Binek
Randall J. Bakke

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

IN DISTRICT COURT
SOUTH CENTRAL JUDICIAL DISTRICT

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



NOTICE OF APPEAL

Docket Number 05-C-2303

NOTICE IS HEREBY GIVEN that Capital Electric Cooperative, Inc., Plaintiff above named, hereby appeals to the North Dakota Supreme Court from the Judgment entered in this action on June 8, 2006.

Dated this 11th day of July, 2006.

PRINGLE & HERIGSTAD, P.C.
By: Carol K. Larson
Carol K. Larson - #04406
Attorneys for Plaintiff
2525 Elk Drive
PO Box 1000
Minot, ND 58702-1000
(701) 852-0381

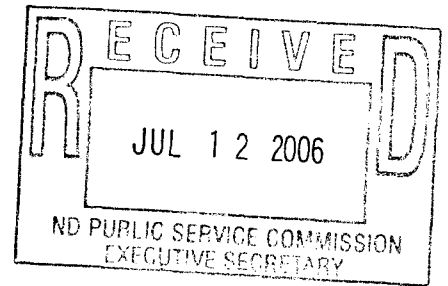
STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

IN DISTRICT COURT
SOUTH CENTRAL JUDICIAL DISTRICT

Capital Electric Cooperative, Inc.)
)
 Plaintiff,)
)
 vs.)
)
 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 FOR TRANSCRIPT

Docket Number 05-C-2303



TO: CLERK OF COURT

Pursuant to Rule 10 (b) N.D.R.App.R, the Plaintiff, Capital Electric Cooperative, Inc., intends to appeal to the North Dakota Supreme Court, herewith orders a complete transcript of all proceedings, including but not limited to, the hearing before the Bismarck City Board of Commissioners held on October 11, 2005, in the above matter.

The Plaintiff will pay the costs of the transcript at the time of completion, and delivery of a copy to us or at such time as is satisfactory to you.

Plaintiff hereby orders three (3) copies of the transcript to be filed with the Clerk of the North Dakota Supreme Court, and one copy for each party separately represented:

Jerome C. Kettleson
Attorney at Law
PO Box 400
Bismarck, ND 58502-0400

William W. Binek
PUBLIC SERVICE COMMISSION
600 E Boulevard Avenue, Department 408
Bismarck, ND 58505-0480

Randall J. Bakke
Smith Bakke Porsborg & Schweigert
PO Box 460
Bismarck, ND 58502-0460

Dated this 11th day of July, 2006.

PRINGLE & HERIGSTAD, P.C.

By: Carol K. Larson
Carol K. Larson - #04406
Attorneys for Plaintiff
2525 Elk Drive
PO Box 1000
Minot, ND 58702-1000
(701) 852-0381

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF BURLEIGH

SOUTH CENTRAL JUDICIAL DISTRICT

Capital Electric Cooperative, Inc.)

Plaintiff,)

vs.)

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.)

AFFIDAVIT OF SERVICE

Docket Number 05-C-2303

STATE OF NORTH DAKOTA)

) ss.

COUNTY OF WARD)

LaRae A. Thomas, being first duly sworn, deposes and says:

That she is a citizen of the United States of America, of legal age, and is not a party to nor interested in the above entitled action; that on the 11th day of July, 2006, this Affiant served by depositing in the mailing department of the United States Post Office at Minot, North Dakota, a sealed envelope with postage thereon duly prepaid, containing a true and correct copy of the following documents in the above entitled action:

1. **Notice of Appeal; and**
2. **Order for Transcript.**

That said documents were directed to the following persons at their known address as follows:

Jerome C. Kettleston
Attorney at Law
PO Box 400
Bismarck, ND 58502-0400

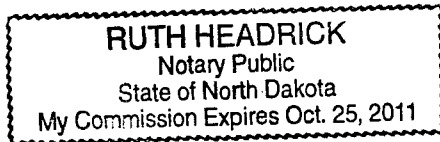
William W. Binek
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Bismarck, ND 58505-0480

Randall J. Bakke
Smith Bakke Porsborg & Schweigert
PO Box 460
Bismarck, ND 58502-0460

That the above provisions were duly mailed in accordance with the provisions of the North Dakota Rules of Civil Procedure.

LaRae A. Thomas
LaRae A. Thomas

SUBSCRIBED AND SWORN to before me this 11th day of July, 2006.



Ruth Headrick
Ruth Headrick, Notary Public
For the State of North Dakota
My Commission expires:10/25/2011