

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF BURLEIGH

SOUTH CENTRAL JUDICIAL DISTRICT

CAPITAL ELECTRIC COOPERATIVE, INC.)
Plaintiff)

vs.

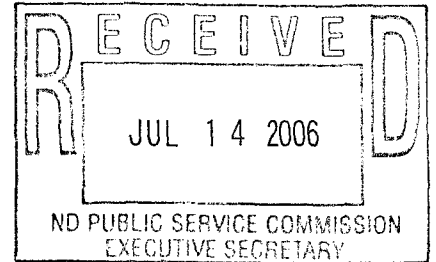
) NOTICE OF FILING OF
) THE NOTICE OF APPEAL
)

CITY OF BISMARCK, NORTH DAKOTA)
MONTANA-DAKOTA UTILITIES, INC.)
PUBLIC SEVICE COMMISSION OF NORTH DAKOTA)
Defendant)

) CASE NO. 08-05-C-02303/001
)
)

.)

TO: RANDALL BAKKE
BOX 460
BISMARCK ND 58502



INTERESTED PARTIES:

- ATTY. FOR DEFENDANT : RANDALL BAKKE
- ATTY. FOR DEFENDANT : JEROME KETTLESON
- ATTY. FOR DEFENDANT : DANIEL S. KUNTZ
- ATTY. FOR PLAINTIFF : CAROL K LARSON
- ATTY. FOR PLAINTIFF : WILLIAM BINEK
- DEFENDANT : CITY OF BISMARCK, NORTH DAKOTA
- DEFENDANT : MONTANA-DAKOTA UTILITIES, INC.
- DEFENDANT : PUBLIC SEVICE COMMISSION OF NORTH DAKOTA
- PLAINTIFF : CAPITAL ELECTRIC COOPERATIVE, INC.

Please take notice that a Notice of Appeal, a copy of which is attached hereto, was filed in the above captioned case in the office of the Clerk of District Court, Burleigh County, North Dakota on the 12th day of July, 2006.

Dated in Bismarck, North Dakota this 12th day of July, 2006.

Debra Simenson
DEBRA SIMENSON
Clerk of Court *by Nancy Polusky, Dep.*

Copies mailed to: CLERK OF SUPREME COURT
RANDALL BAKKE
JEROME KETTLESON
DANIEL S. KUNTZ
CAROL K LARSON
WILLIAM BINEK

RECEIVED & FILED

JUL 12 2006

Cik. of Crt. Burleigh Co.

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)

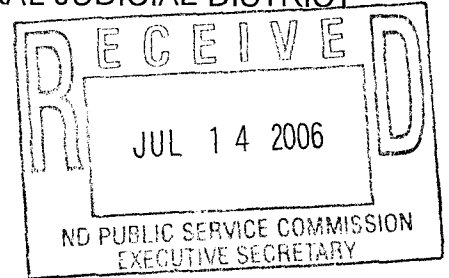
and)

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

and)

The Public Service Commission of)
North Dakota)

Defendants.)



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

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Clk. of Crt. Burleigh Co.