

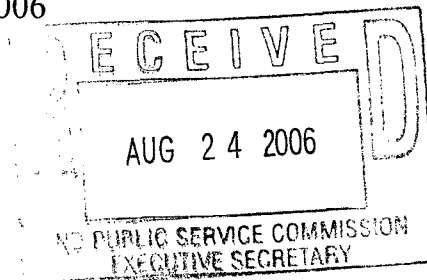


WILLIAM P. PEARCE  
PATRICK W. DURICK  
B. TIMOTHY DURICK  
GARY R. THUNE  
DAVID E. REICH  
JEROME C. KETTLESON  
LARRY L. BOSCHEE ••  
LAWRENCE BENDER, PC •  
JONATHAN P. SANSTEAD  
TIFFANY L. JOHNSON

ATTORNEYS AT LAW  
314 EAST THAYER AVENUE  
P.O. BOX 400  
BISMARCK, NORTH DAKOTA 58502

TELEPHONE (701) 223-2890  
FAX (701) 223-7865  
E-MAIL: [law.office@pearce-durick.com](mailto:law.office@pearce-durick.com)

August 23, 2006



Ms. Debra Simenson  
Clerk of the District Court  
Burleigh County  
P.O. Box 1055  
Bismarck, ND 58502-1055

Re: *Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc. v. North Dakota Public Service Commission and Capital Electric Cooperative, Inc.*  
*Civil No. 06-C-1177*

Dear Ms. Simenson:

Enclosed is Montana-Dakota Utilities Co.'s Return to Capital Electric Cooperative's Motion and Brief in Support of Motion to Dismiss, together with Affidavit of Service.

Thank you for your attention to this matter.

Very truly yours,

PEARCE & DURICK

By

Jerome C. Kettleison  
Phone: (701) 333-0104  
Email: [jck@pearce-durick.com](mailto:jck@pearce-durick.com)

JCK/ef

Enclosures

cc. (w/encls.) Carol Larson  
(w/encls.) William W. Binek