

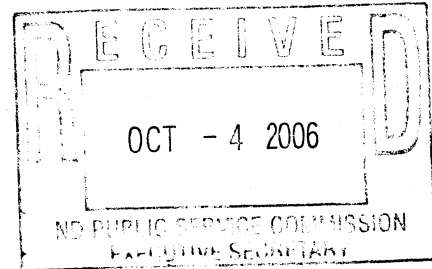
Supreme Court of North Dakota

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October 3, 2006



Ms. Carol K. Larson
Attorney at Law
Pringle & Herigstad, P.C.
P.O. Box 1000
Minot, ND 58702-1000

RE: Capital Electric Coop., Inc. v. City of Bismarck, et al.
Supreme Court No. 20060199
Burleigh Co. No. 05-C-02303

This will acknowledge receipt of the original and seven copies of the Appellant's Brief and eight copies of the Appendix in the above matter. These were filed October 2, 2006. The diskette of the Appellant's Brief was received in my office today; however, I was not able to open it.

Please refer to Rule 32 of the North Dakota Rules of Appellate Procedure which provides that the cover of an Appellant's brief should be blue. Also, the Table of Authorities and body of the brief should reference both the North Dakota citation and the Northwestern Reporter citation for cases decided after January 1, 1997, as required by Rule 11.6 of the North Dakota Rules of Court.

In addition, the title my office is using for this appeal is:

**Capital Electric
Cooperative, Inc.,**

Plaintiff and Appellant

v.

**City of Bismarck,
North Dakota,**

Defendant and Appellee

and

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

**Defendant, Counterclaimant,
and Appellee**

and

**the Public Service Commission
of North Dakota,**

Defendant and Appellee

Ms. Carol K. Larson
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October 3, 2006

Finally, I trust your brief complies with Rule 32(a)(7)(A), which states that if proportionately spaced typeface is used, a principal brief may not exceed 10,500 words.

Please forward the original and seven copies each of corrected covers, in the correct color, Table of Authorities and corrected page(s) of your brief, as well as a corrected diskette or electronically transmitted copy of the brief by e-mail to supclerkofcourt@ndcourts.com no later than October 10, 2006.

The Appellees' Brief will be due thirty (30) days following service of the Appellant's Brief. This matter will be placed on an appropriate calendar of the Court when the Appellee's Brief has been received or when the time for filing such brief has expired.

Sincerely yours,



Penny Miller
Clerk
North Dakota Supreme Court

PM:ls

pc: Mr. Jerome C. Kettleson
Mr. Daniel S. Kuntz
Mr. Randall J. Bakke
~~Mr. William W. Binck~~