

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.

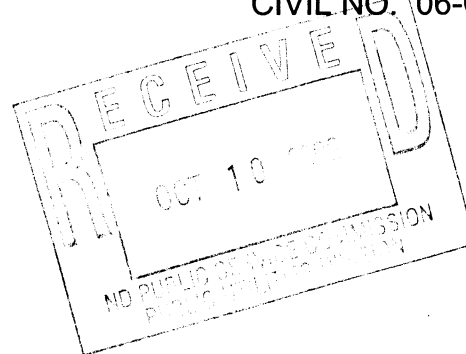
CIVIL NO. 06-C-1177

Appellant,

vs.

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

Appellees.



MOTION FOR STAY UPON APPEAL OF  
JUDGMENT AFFIRMING ADMINISTRATIVE DECISION

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

COMES NOW Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc. by and through its attorney Jerome C. Kettleson of Pearce & Durick, P. O. Box 400, 314 East Thayer Ave., Bismarck, North Dakota and for its Motion For Stay Upon Appeal of Judgment Affirming Administrative Decision, says:


MDU, having filed its Notice of Appeal herein, requests that the Court Stay the enforcement of the Judgment dated October 09, 2006 pursuant to Rule 62 of the Rules of Civil Procedure for the reasons more fully set forth in the attached brief.

Dated at Bismarck, North Dakota, this 9 day of October, 2006.

Respectfully submitted,

Montana-Dakota Utilities Co.,  
a Division of MDU Resources Group, Inc.  
Daniel S. Kuntz (ID# 03490)  
Assistant General Counsel  
MDU Resources Group, Inc.  
1200 West Century Avenue  
P.O. Box 5650  
Bismarck, ND 58506-5650  
(701) 530-1006

Pearce & Durick  
Patrick W. Durick (ID# 03141)  
Jerome C. Kattleson (ID# 03095)  
314 East Thayer Avenue  
Bismarck, ND 58502-0400  
(701) 223-2890



---

Jerome C. Kattleson