

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.)

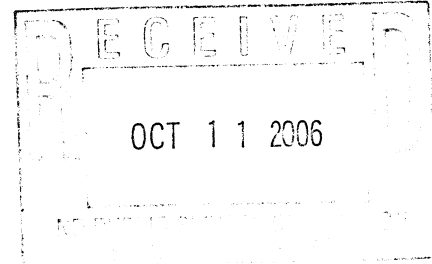
CIVIL NO. 06-C-1177

Appellant,)

vs.)

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

Appellees.)



NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN that Montana-Dakota Utilities, Inc., a Division of MDU Resources Group, Inc., Defendant above named, hereby appeals to the North Dakota Supreme Court from the Judgment entered in this action on October 09, 2006.

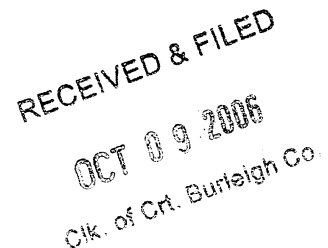
Dated at Bismarck, North Dakota this 9 day of October, 2006.

Respectfully submitted,

Montana-Dakota Utilities Co.,
a Division of MDU Resources Group, Inc.
Daniel S. Kuntz (ID# 03490)
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MDU Resources Group, Inc.
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Pearce & Durick
Patrick W. Durick (ID# 03141)
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Bismarck, ND 58502-0400
(701) 223-2890

Jerome C. Kettleon



MONTANA-DAKOTA UTILITIES CO.)
DIVISION OF MDU RESOURCES GROUP, INC.)
Plaintiff)

vs.

) NOTICE OF FILING OF
) THE NOTICE OF APPEAL
)

NORTH DAKOTA PUBLIC SERVICE COMMISSION) CASE NO.
08-06-C-01177/001
CAPITAL ELECTRIC COOPERATIVE, INC.)
Defendant)
.)

TO: WILLIAM BINEK
600 E BLVD AVE #408
BISMARCK ND 58505

INTERESTED PARTIES:

- ATTY. FOR DEFENDANT : WILLIAM BINEK
- ATTY. FOR DEFENDANT : CAROL K LARSON
- ATTY. FOR PLAINTIFF : JEROME KETTLESON
- ATTY. FOR PLAINTIFF : PATRICK W. DURICK
- BOND REMITTER : MONTANA-DAKOTA UTILITIES CO
- DEFENDANT : NORTH DAKOTA PUBLIC SERVICE COMMISSION
- DEFENDANT : CAPITAL ELECTRIC COOPERATIVE, INC.
- PLAINTIFF : MONTANA-DAKOTA UTILITIES CO.
- PLAINTIFF : DIVISION OF MDU RESOURCES GROUP, 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 9th day of October, 2006.

Dated in Bismarck, North Dakota this 10th day of October, 2006.

Debra Simenson
DEBRA SIMENSON
Clerk of Court

By: Sheralynne Mills Deputy

Copies mailed to: CLERK OF SUPREME COURT
WILLIAM BINEK
CAROL K LARSON
JEROME KETTLESON
PATRICK W. DURICK

RECEIVED & FILED
OCT 10 2006
Clk. of Crt. Burleigh Co.