

# Supreme Court of North Dakota

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600 E BOULEVARD AVE DEPT 180

BISMARCK ND 58505-0530

(701) 328-2221 (Voice)

(701) 328-4480 (FAX) (701) 328-2884 (TDD)

supclerkofcourt@ndcourts.com

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November 9, 2006

Mr. Jerome C. Kettleson  
Mr. Patrick W. Durick  
Pearce & Durick  
P.O. Box 400  
Bismarck, ND 58502-0400Mr. Daniel S. Kuntz  
Assistant General Counsel  
MDU Resources Group, Inc.  
P.O. Box 5650  
Bismarck, ND 58506-5650Ms. Carol Larson  
Pringle & Herigstad, P.C.  
P.O. Box 1000  
Minot, ND 58702-1000Mr. Randall J. Bakke  
Mr. Mitchell D. Armstrong  
Smith, Bakke, Porsborg & Schweigert  
P.O. Box 460  
Bismarck, ND 58502-0460Mr. William W. Binek  
Special Assistant Attorney General  
Public Service Commission  
600 East Boulevard Avenue, Dept. 408  
Bismarck, ND 58505-0480

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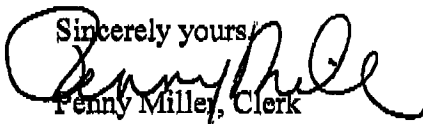
RE: *Montana-Dakota Utilities v. ND Public Service Commission, et al.*  
Supreme Court No. 20060270 (Burleigh Co, No. 06-C-1177)  
*Capital Electric Coop., Inc., v. City of Bismarck, et al.*  
Supreme Court No. 20060199 (Burleigh Co, No. 05-C-02303)

Enclosed is a copy of an Order entered November 8, 2006, by the Supreme Court in Supreme Court No. 20060270. In light of the Order, oral arguments in Supreme Court No. 20060199 will be postponed until January 2007 and consolidated with Supreme Court No. 20060270. Allocation of time for argument will be decided after the briefs in No. 20060270 are filed.

In accordance with the enclosed Order, the due date of the Appellant's Brief in Supreme Court No. 20060270 is November 17, 2006; thereafter, the Appellees' Briefs are due December 18, 2006. **No extensions for the briefs will be granted.**

I request all counsel to immediately forward your January 2007 conflicts. However, accommodation of conflicts is not guaranteed.

Sincerely yours,

  
Penny Miller, Clerk

Enc.

pc &amp; enc: Ms. Debra Simenson; Judge Donald L. Jorgensen; &amp; Judge Bruce B. Haskell