



Public Service Commission
State of North Dakota

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December 15, 2006

Ms. Penny Miller
Clerk of North Dakota Supreme Court
State Capitol
Judicial Wing, 1st Floor
600 E. Blvd. Ave., Dept. 180
Bismarck, ND 58505-0530

Re: Montana-Dakota Utilities Co. vs. The Public Service Commission et al
Supreme Court No. 20060270
Burleigh County District Court No. 06-C-01177

Dear Ms. Miller:

Enclosed for filing is the original and seven copies of Brief of Appellee North Dakota Public Service Commission, together with disk. The attached disk has been scanned by a virus protection program and I certify that it is virus free.

Thank you.

Sincerely,

William W. Binek

WWB/sls
Enclosure

cc: Carol Larson (w/encl.)
Jerome C. Kettleison (w/encl.)
Daniel S. Kuntz (w/encl.)
Randall J. Bakke (w/encl.)