

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF BURLEIGH

SOUTH CENTRAL JUDICIAL DISTRICT

Montana-Dakota Utilities Co., a)
Division of MDU Resources Group)

Petitioner)

vs.)

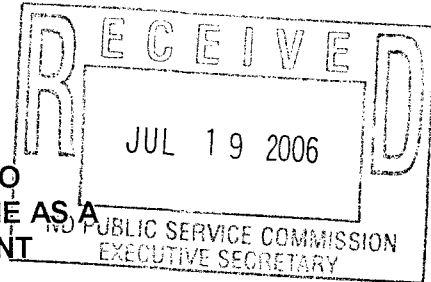
North Dakota Public Service)
Commission,)

Defendant and.)

Third-Party Plaintiff)

vs.)

Capital Electric Cooperative, Inc.)
Third-Party Defendant.)



MOTION TO
INTERVENE AS A
DEFENDANT

CIVIL NO. 06-C-1290

Capital Electric Cooperative, Inc. (herein "Capital") moves for leave to intervene as a Defendant in this action, in order to assert the claims and defenses set forth in its propose Response to Montana-Dakota Utilities Co.'s Petition For Writ Of Prohibition, on the ground that Capital is a necessary party to the action, for if the Writ were granted, Capital would not be able to take further action to protect its rights and interests before the North Dakota Public Service Commission.

Dated this 18 day of July, 2006.

PRINGLE & HERIGSTAD, P.C.

By: Carol K. Larson

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Applicant for Intervention
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