

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

**Capital Electric Cooperative, Inc. vs  
Montana-Dakota Utilities Co./Promontory Point III  
Complaint**

**Case No. PU-06-278**

**NOTICE OF HEARING**

**September 4, 2007**

On June 30, 2006 Capital Electric Cooperative, Inc. (Capital or Complainant) filed a Complaint alleging that Montana-Dakota Utilities Co. (Montana-Dakota or Respondent) (1) intends to provide electric service in the Promontory Point III subdivision within the City of Bismarck and (2) such service threatens to interfere with the existing services provided by Capital within the City of Bismarck and unreasonably duplicates available services provided by Capital within the City of Bismarck.

On August 1, 2006, Montana-Dakota filed an Answer and a Motion for Temporary Stay that was opposed by Capital.

On August 23, 2006, the Commission dismissed the Motion for Temporary Stay and issued a Notice of Hearing scheduling the hearing in the matter for October 30, 2006.

On August 25, 2006, Montana-Dakota filed a Motion for Continuance that was opposed by Capital.

On October 12, 2006, the Commission granted the Motion for Continuance.

A **public hearing** on this matter will be held **November 19, 2007 beginning at 9 a.m.** in the Commission hearing room, State Capitol, 12<sup>th</sup> Floor, Bismarck, North Dakota 58505. Issues to be considered in this matter include:

1. Whether the Public Service Commission has jurisdiction to award the relief requested by the Complainant.
2. Whether Respondent should be restrained and enjoined from constructing or extending its lines, plant, or system in Promontory Point III.
3. Whether Respondent should remove all of its facilities in the Promontory Point III.

For more information contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400; or Relay North Dakota 1-800-366-6888 TTY. If you require any auxiliary aids or services, such as readers, signers, or Braille

materials please notify Ilona A. Jeffcoat-Sacco, Executive Secretary at least 24 hours in advance.


**PUBLIC SERVICE COMMISSION**



**Tony Clark**  
Commissioner



**Susan E. Wefald**  
President



**Kevin Cramer**  
Commissioner