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STATE OF NORTH DAKOTA

MAY 23 2008

IN DISTRICT COURT

COUNTY OF BURLEIGH

PUBLIC SERVICE COMMISSION

COUNTY CENTRAL JUDICIAL DISTRICT

Dakota Resource Council, Janie and John
Capp, Ramona Klein, Linette and Merle
Kratochvil, and Mark Novak ,

Appellants,

vs.

Public Service Commission and
Transcanada Keystone Pipeline LP,

Appellees.

CIVIL NO. 08-08-C-0814
Agency Case No. PU-06-421

AFFIDAVIT OF SERVICE

STATE OF NORTH DAKOTA)

) ss.

COUNTY OF MORTON)

LORI SPENCER, being first duly sworn, on oath, deposes and says: That she is a citizen of the United States, over the age of eighteen and not a party to the above-entitled action.

That on the 23 day of May, 2008, this affiant faxed a true and correct copy of the following document(s) in the above captioned action:

1. Proposed Scheduling Order;
2. Letter to Clerk of Court

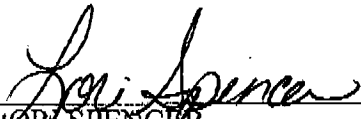
That a copy of the above document(s) was faxed as follows:

DERRICK BRAATEN
ATTORNEY AT LAW
Facsimile No. 221-5842

ILLONA JEFFCOAT-SACCO
EXECUTIVE SECRETARY
PUBLIC SERVICE COMMISSION
Facsimile No. 328-2410


JANA M LINDERMAN
ATTORNEY AT LAW
Facsimile No. 1-866-484-2373

WILLIAM BINEK
ATTORNEY AT LAW
PUBLIC SERVICE COMMISSION
Facsimile No. 328-2410

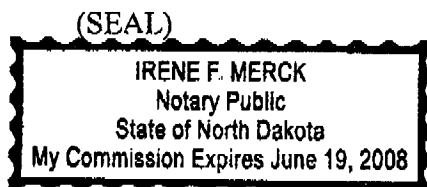


LORI SPENCER

Subscribed and sworn to before me this 23 day of May, 2008.



Notary Public, State of North Dakota



473 PU-06-421 Filed: 5/23/2008 Pages: 4
APPEAL: Proposed Scheduling Order - Letter to
Clerk of Court

Kelsch Kelsch Ruff & Kranda

C.F. Kelsch
1890-1987

Attorneys at Law
Mandan, North Dakota

William C. Kelsch
Retired

THOMAS F. KELSCH
ARLEN M. RUFF, P.C.
THOMAS D. KELSCH, P.C.
TODD D. KRANDA, P.C.*
WILLIAM J. DELMORE
DANIEL NAGLE

 MERITAS LAW FIRMS WORLDWIDE

103 Collins Avenue
P.O. Box 1266
Mandan, ND 58554-7266
Phone (701) 663-9818
1-888-663-9818
Fax (701) 663-9810
Website www.kelschlaw.com

*Also Licensed in Minnesota

May 23, 2008

BURLEIGH COUNTY CLERK OF COURT
PO BOX 1055
BISMARCK ND 58502-1055

FILED BY FACSIMILE
221-3756

Re: Dakota Resource Council, Janie and John Capp, Ramona Klein, Linette and Merle Kratochvil,
and Mark Novak v. Public Service Commission and TransCanada Keystone Pipeline LP
Civil No. 08-08-C-0814
Our File No 11815

Dear Clerk:

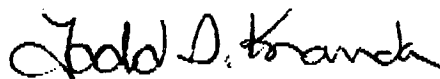
In accordance with the May 8, 2008 Order for Rule 16 Scheduling Conference, enclosed for filing in the above-referenced matter are the following original documents:

1. Proposed Scheduling Order; and
2. Affidavit of Service.

Please present this proposed Scheduling Order to Judge Hagerty for her review and consideration prior to the Scheduling Conference that is set for Thursday, May 29, 2008.

If you have any questions, please feel free to contact Thomas D. Kelsch me.

Sincerely,



Todd D. Kranda

TK:ls
Encs

c: TransCanada Keystone Pipeline
Ilona Jeffcoat Sacco, Executive Secretary Public Service Commission
Attorney William Binek
Attorney Jana Linderman
Attorney Derrick Braaten



STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF BURLEIGH

SOUTH CENTRAL JUDICIAL DISTRICT

Dakota Resource Council, Janie and John)
Capp, Ramona Klein, Linette and Merle)
Kratochvil, and Mark Novak ,)

CIVIL NO. 08-08-C-0814
Agency Case No. PU-06-421

Appellants,)

vs.)

SCHEDULING ORDER

Public Service Commission and)
TransCanada Keystone Pipeline LP,)

Appellees.)

1. The Appellants shall have until June 30, 2008 to file a Brief.
2. The Appellees shall have until July 30, 2008 to complete a responsive Brief.
3. The Appellants will then be allowed until August 11, 2008 to file a reply Brief.
4. Oral Argument will be scheduled for this matter for the earliest date available

following the deadline for filing the reply Brief. Notice of Oral Argument shall be sent out by the Burleigh County Clerk of Court Administrator's office.

Dated this _____ day of May, 2008

GAIL HAGERTY
Judge of the District Court

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF BURLEIGH

SOUTH CENTRAL JUDICIAL DISTRICT

Dakota Resource Council, Janie and John)
Capp, Ramona Klein, Linette and Merle)
Kratochvil, and Mark Novak ,)
Appellants,)

CIVIL NO. 08-08-C-0814
Agency Case No. PU-06-421

vs.)

AFFIDAVIT OF SERVICE

Public Service Commission and)
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Appellees.)

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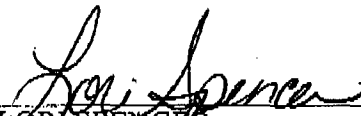
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Notary Public, State of North Dakota

