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July 7, 2008

VIA HAND DELIVERY

Debra Simenson, Clerk of Court
Burleigh County Courthouse
514 East Thayer Avenue
PO Box 1055
Bismarck, ND 58502

**RE: Dakota Resource Council vs. Public Service Commission
Civil No. 08-08-C-0814**

Dear Ms. Simenson:

Enclosed for filing please find a Stipulation to Dismiss signed by all parties to these proceedings, and a Proposed Order to Dismiss.

Please contact me if you have any questions.

Thank you,



Derrick Braaten

Enc.

c: Jana M. Linderman (*Sent via email*)
Margaret Olson (*Sent via email*)
Thomas Kelsch (*Sent via email*)

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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,

STIPULATION DISMISSING APPEAL

vs.

Public Service Commission and
TransCanada Keystone Pipeline LP,

Appellees.

Pursuant to North Dakota Rule of Civil Procedure 41(a), the parties, by and through their undersigned counsel, hereby stipulate and agree to dismiss the above captioned appeal.

The parties have agreed that Appellants will bear the costs on appeal, and each party will bear its own attorneys fees for these proceedings.

Dated this 7th Day of July, 2008.

By:



Jana Linderman (IA # AT0004750)
Plains Justice
100 1st SW
Cedar Rapids, IA 52404
Telephone: 319-362-2120
Fax: 866-484-2373
Attorneys for Appellants

Dated this 7 Day of July, 2008.

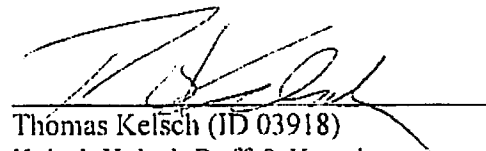
By:



Derrick Braaten (ID 06394)
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Telephone: 701-221-2911
Fax: 701-221-5842
Attorneys for Appellants

Dated this 7 Day of July, 2008.

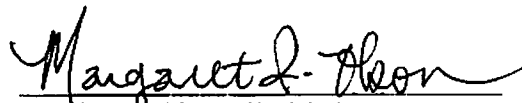
By:



Thomas Kelsch (ID 03918)
Kelsch Kelsch Ruff & Kranda
103 Collins Avenue
PO Box 126
Mandan, ND 58554-7266
*Attorneys for Appellees TransCanada
Keystone Pipeline LP*

Dated this 7 Day of July, 2008.

By:



Margaret Olson (ID 06352)
Assistant Attorney General
Office of Attorney General
Natural Resources & Indian Affairs Division
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Bismarck, ND 58501-4509
*Attorneys for Appellee Public Service
Commission*

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,)

ORDER TO DISMISS

vs.)

Public Service Commission and)
TransCanada Keystone Pipeline LP,)

Appellees.)

Pursuant to the stipulation of the parties in accordance with North Dakota Rule of Civil Procedure 41(a), this appeal is dismissed with the Appellants bearing the costs on appeal and each party bearing its own attorneys' fees.

Dated this ____ day of July, 2008

BY THE COURT:

GAIL HAGERTY
Judge of the District Court