

September 25, 2009

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PUBLIC SERVICE COMMISSION

Illona Jeffcoat-Sacco, Esq.
Public Service Commission
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Department 408
Bismarck, ND 58505

Derrick Braaten, Esq.
Sarah Vogel Law Firm
222 N. 4th Street
Bismarck, ND 58501

Jana M. Linderman, Esq.
Plains Justice
100 1st Street SW, Suite 201
Cedar Rapids, IA 52404

**Re: Dakota Resource Council v. Public Service Commission
Burleigh County Civil No. 08-08-C-02434/001**

Dear Counsel:

Enclosed and served upon you in the above matter is a Notice of Entry of Judgment, along with a copy of the Judgment, entered by the District Court and effective as of September 17, 2009.

Very truly yours,

Todd J. Guerrero (kas)

Todd J. Guerrero
Direct Dial: 612.492.7892
Email: tguerrero@fredlaw.com

TJG:kas

c: Daniel Kuntz, Esq.
Mark Bring, Esq.

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370 PU-06-482 Filed: 9/28/2009 Pages: 6
APPEAL – Notice of Entry of Judgment with copy of Judgment

Appellee - Otter Tail Corporation
Todd Guerrero, Fredrickson&Byron

363 PU-06-481 Filed: 9/28/2009 Pages: 6
APPEAL – Notice of Entry of Judgment with copy of Judgment

Appellee - Otter Tail Corporation
Todd Guerrero, Fredrickson&Byron

Attorneys & Advisors
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Fredrikson & Byron, P.A.
200 South Sixth Street, Suite 4000
Minneapolis, Minnesota
55402-1425

September 25, 2009

Clerk of District Court
PO Box 1055
Bismarck, ND 58502

**Re: Dakota Resource Council v. Public Service Commission
Burleigh County Civil No. 08-08-C-02434/001**

Dear Clerk of District Court:

Enclosed for filing in the above matter please find the following:

1. Notice of Entry of Judgment; and
2. Affidavit of Service.

Please direct any questions to the undersigned. Thank you.

Very truly yours,



Todd J. Guerrero

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TJG:kas

c: Attached Service List

4624981_1.DOC

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STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF BURLEIGH

SOUTH CENTRAL JUDICIAL
DISTRICT

CIVIL NO. 08-08-C-2434

Dakota Resource Council and Mark Trechock,

Appellants,

vs.

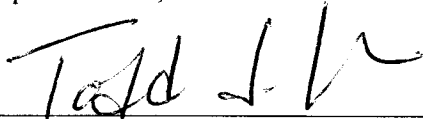
**NOTICE OF ENTRY
OF JUDGMENT**

**Public Service Commission, Otter Tail
Corporation, and Montana-Dakota Utilities Co.,**

Appellees.

PLEASE TAKE NOTICE that on September 17, 2009, the Court entered Judgment in the above matter in which it adjudged the appeal of Dakota Resource Council and Mark Trechock of the August 27, 2008 Order of the North Dakota Public Service Commission in PSC Case Nos. PU-06-481 and PU-06-482 denied and affirming said Order. The Judgment is attached hereto as Exhibit A and served upon you.

Dated: September 25, 2009



Todd J. Guerrero (MN Bar No. 0238478)

FREDRIKSON & BYRON, P.A.

(admitted *pro hac vice*)

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Minneapolis, MN 55402

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**Attorneys for Appellees
Otter Tail Corporation and
Montana-Dakota Utilities Co.**

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF BURLEIGH

SOUTH CENTRAL JUDICIAL DISTRICT

CIVIL NO. 08-08-C-2434

Dakota Resource Council and Mark Trechock)

)

Appellants,)

)

JUDGMENT

vs.)

)

Public Service Commission, Otter Tail)

Corporation, and Montana-Dakota Utilities Co.,)

)

Appellees.)

The above entitled matter came before the Court, the Honorable Sonna M. Anderson, as an appeal by the Dakota Resource Council and Mark Trechock from the Order of the North Dakota Public Service Commission dated August 27, 2008. On August 19, 2009, the Court entered its order denying the appeal and affirming the Order of the Public Service Commission.

THEREFORE, it is adjudged the appeal of the Dakota Resource Council and Mark Trechock from the Order of the North Dakota Public Service Commission is denied and the Order of the North Dakota Public Service Commission is AFFIRMED.

Dated: September 17, 2009.

Debra Simenson

Debra Simenson
Clerk of the District Court

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Clk. of Crt. Burleigh Co.

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STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF BURLEIGH

SOUTH CENTRAL JUDICIAL DISTRICT

CIVIL NO. 08-08-C-2434

Dakota Resource Council and Mark
Trechock,

Appellants,

vs.

AFFIDAVIT OF SERVICE


Public Service Commission, otter Tail
Corporation, and Montana-Dakota
Utilities Co.,

Appellees.

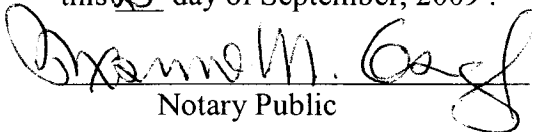
Kristen Swenson, of Minneapolis Minnesota, Hennepin County being sworn, says that on September 25, 2009, a copy of the following documents:

1. Notice of Entry of Judgment; and
2. Affidavit of Service

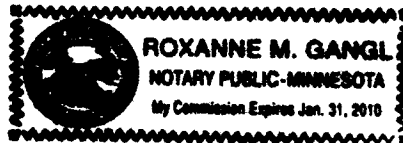
have been served upon the Clerk of District Court and the attached service list via United States Mail.


Kristen Swenson

Subscribed and sworn to before me
this 25th day of September, 2009 .


Notary Public

Dated: September 25, 2009



Civil No. 08-08-C-02434/0001
Agency Case Nos.
PU-06-481 and PU-06-482

**In the Matter of Dakota Resource Council
and Mark Trechock v. Public Service
Commission, Otter Tail Corporation, and
Montana-Dakota Utilities Co.**

Service List

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