

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF BURLEIGH

SOUTH CENTRAL JUDICIAL DISTRICT

Dakota Resource Council)
 and)
 Mark Trechock,)
)
 Appellants,)
)
 vs.)
)
 Public Service Commission,)
 Otter Tail Corporation,)
 and)
 Montana-Dakota Utilities Co.,)
)
 Appellees.)

Civil No. 08-8-C-2434-1

Agency Case Nos.

PU-06-481 and PU-06-482 **PUBLIC SERVICE COMMISSION**

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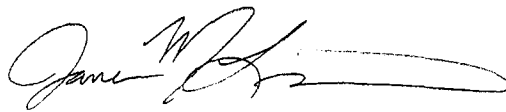
NOTICE OF APPEAL

PLEASE TAKE NOTICE that Dakota Resource Council and Mark Trechock hereby give notice of their appeal of the Judgment entered in Civil No. 08-8-C-2434-1 by the Burleigh County District Court on September 17, 2009, to the North Dakota Supreme Court. The Notice of Entry of Judgment was signed and sent September 25, 2009.

Dated this 25th day of November, 2009.

PLAINS JUSTICE

SARAH VOGEL LAW FIRM, PC




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ATTORNEYS FOR APPELLANTS

Clk. of Crt. Burleigh Co.

DAKOTA RESOURCE COUNCIL)
Plaintiff)

vs.)

PUBLIC SERVICE COMMISSION)
OTTER TAIL CORPORATION)
MONTANA-DAKOTA UTILITIES CO.)
Defendant)

) NOTICE OF FILING OF
) THE NOTICE OF APPEAL

) CASE NO. 08-08-C-02434/001

.)

TO: DANIEL S. KUNTZ
P O BOX 5650
BISMARCK ND 58502

INTERESTED PARTIES:

- APPEL.CNSL/PLAINTIFF: DERRICK BRAATEN ✓
- APPEL.CNSL/PLAINTIFF: CARRIE L. LA SEUR
- APPEL.CNSL/PLAINTIFF: TODD J GUERRERO
- APPEL.CNSL/PLAINTIFF: JANA LINDERMAN ✓
- ATTY. FOR DEFENDANT : DANIEL S. KUNTZ
- ATTY. FOR DEFENDANT : MARK BRING
- APPELLANT : DAKOTA RESOURCE COUNCIL
- APPELLANT : MARK TRECHOCK
- APPELLEE : PUBLIC SERVICE COMMISSION
- APPELLEE : OTTER TAIL CORPORATION
- APPELLEE : MONTANA-DAKOTA UTILITIES CO.
- Appel. counsel/Defendant : *Ilona A Jeffcoat-Sacco*

Please take notice that a Notice of Appeal, a copy of which is attached hereto, was filed in the above captioned case in the office of the Clerk of District Court, Burleigh County, North Dakota on the 25th day of November, 2009.

Dated in Bismarck, North Dakota this 25th day of November, 2009.

Debra Simenson
DEBRA SIMENSON
Clerk of Court

Copies mailed to: CLERK OF SUPREME COURT
DANIEL S. KUNTZ
MARK BRING
DERRICK BRAATEN
CARRIE L. LA SEUR
TODD J GUERRERO
JANA LINDERMAN
Ilona A Jeffcoat-Sacco

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Clk. of Crt. Burleigh Co.

DAKOTA RESOURCE COUNCIL

VS PUBLIC SERVICE COMMISSION

JUDGE ASSIGNED: SONNA ANDERSON

OFFENSE : ADMINISTRATIVE APPEAL

INTERESTED PARTIES

CASE # : 08-08-C-02434

APPEL.CNSL/PLAINTIFF	BRAATEN, DERRICK
APPEL.CNSL/PLAINTIFF	LA SEUR, CARRIE L.
APPEL.CNSL/PLAINTIFF	LINDERMAN, JANA
APPEL.CNSL/DEFENDANT	GUERRERO, TODD J
APPEL.CNSL/DEFENDANT	KUNTZ, DANIEL S.
APPEL.CNSL/DEFENDANT	BRING, MARK B
APPEL.CNSL/DEFENDANT	JEFFCOAT-SACCO, ILLONA
APPELLANT	DAKOTA RESOURCE COUNCIL
APPELLANT	TRECHOCK, MARK
APPELLEE	PUBLIC SERVICE COMMISSION
APPELLEE	OTTER TAIL CORPORATION
APPELLEE	MONTANA-DAKOTA UTILITIES CO.

ACTIONS

1	NOTICE OF APPEAL & SPECIFICATION OF ERROR	09/26/2008
2	CERTIFICATE OF SERVICE BY MAIL	09/26/2008
3	AFFIDAVIT OF SERVICE BY REGULAR MAIL	10/29/2008
4	CD CONTAINING ELECTRONIC COPY OF RECORD OF APPEAL / THREE SEALED ENVELOPES CONTAINING TRADE SECRET DOCUMENTS	10/29/2008
5	CERTIFICATE OF RECORD ON APPEAL	10/29/2008
6	NOTICE TO APPELLANT OF ACTUAL COSTS	10/29/2008
7	AFFIDAVIT OF SERVICE	12/05/2008
8	JOINT MOTION TO AMEND BRIEFING SCHEDULE	12/05/2008
9	ORDER	12/08/2008
10	AFFIDAVIT OF SERVICE	12/10/2008
11	AFFIDAVIT OF TODD J. GUERRERO - SIGNATURE NOT NOTARIZED	12/10/2008
12	MOTION FOR ADMISSION TO PRACTICE PRO HAC VICE	12/10/2008
13	AFFIDAVIT OF SERVICE BY MAIL	12/26/2008
14	AFFIDAVIT OF TODD J GUERRERO	12/26/2008
15	AFFIDAVIT OF TODD J GUERRERO - SIGNATURE NOTARIZED	12/29/2008
16	ORDER	12/29/2008
17	CERTIFICATE OF SERVICE BY MAIL	01/16/2009
18	BRIEF ON BEHALF OF APPELLANTS DAKOTA RESOURCE COUNCIL AND MARK TRECHOCK	01/16/2009
19	AFFIDAVIT OF SERVICE	02/13/2009
20	RESPONSE BRIEF OF APPELLEES OTTER TAIL CORPORATION AND MONTANA-DAKOTA UTILITIES CO.	02/13/2009
21	AFFIDAVIT OF SERVICE BY MAIL	02/17/2009
22	APPELLEE NORTH DAKOTA PUBLIC SERVICE COMMISSION RESPONSE BRIEF	02/17/2009
23	LETTER INFORMING COURT OF CHANGE IN LAW FIRM FOR TODD GUERRERO	05/29/2009
24	ORDER - APPEAL IS DENIED / COMMISSION'S ORDER IS AFFIRMED	08/20/2009
25	AFFIDAVIT OF SERVICE	09/17/2009
26	JUDGMENT	09/18/2009
27	AFFIDAVIT OF SERVICE	09/28/2009
28	NOTICE OF ENTRY OF JUDGMENT	09/28/2009
29	NOTICE OF APPEAL	11/25/2009
30	NOTICE OF FILING OF THE NOTICE OF APPEAL	11/25/2009