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PUBLIC SERVICE COMMISSION

DALE W. MOENCH – *Of Counsel*

November 5, 2012

ND Public Service Commission
600 E. Boulevard, Dept. 408
Bismarck, ND 58505-0480

RE: In re: City of Oxbow vs. North Dakota Public Service Commission
Court File No: 09-2012-CV-03147

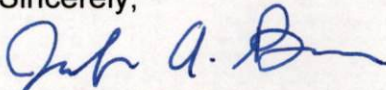
Greetings:

Enclosed and hereby served upon you, please find the following:

1. Motion to Amend Caption to Include Appellee, Northern States Power Company, a Minnesota Corporation
2. Stipulation to Amend Caption to Include Northern States Power Company, a Minnesota Corporation as Appellee
3. Order to Amend Caption to Include the Respondent Northern States Power Company, a Minnesota Corporation (proposed)

If you have any questions, please feel free to contact me at the office.

Sincerely,



Jennifer A. Braun

JAB/sav
Enc.

129 PU-07-759 Filed: 11/8/2012 Pages: 9
APPEAL - Motion to Amend Caption, Stipulation,
proposed Order

Aaland Law Office, Ltd.

Jennifer Braun

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF CASS

EAST CENTRAL JUDICIAL DISTRICT

City of Oxbow, et al.,)
)
 Appellants,)
)
 vs.)
)
 North Dakota Public Service)
 Commission)
)
 Appellee.)

Civil No: 09-2012-CV-03147

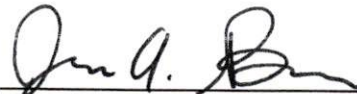
**MOTION TO AMEND CAPTION
TO INCLUDE THE APPELLEE,
NORTHERN STATES POWER
COMPANY, A MINNESOTA
CORPORATION**

COMES NOW, the Appellants by and through their attorneys, Jennifer A. Braun and Ronald K. Hettich, hereby move the Court for an Order as follows:

1. **Amend Caption.** Ordering that the caption be amended to include Northern States Power Company, a Minnesota Corporation, as an Appellee.
2. **Other.** For such other and further relief as the Court deems just and appropriate.

Dated this 5 day of November, 2012.

AALAND LAW OFFICE, LTD.



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 ND ID# 06875
 ND ID# 06035

ATTORNEYS FOR APPELLANTS

STATE OF NORTH DAKOTA

COUNTY OF CASS

IN THE DISTRICT COURT

EAST CENTRAL JUDICIAL DISTRICT

CIVIL NO. 09-2012-CV-03147

IN THE MATTER OF:

City of Oxbow, et. al.,

Appellants,

v.

North Dakota Public Service Commission,

Appellee.

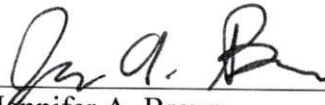
**STIPULATION TO AMEND
CAPTION TO INCLUDE
NORTHERN STATES POWER
COMPANY, A MINNESOTA
CORPORATION, AS APPELLEE**

The parties to this Stipulation are Appellants, the North Dakota Public Service Commission and Northern States Power Company, a Minnesota corporation ("NSP"). The Appellants are represented by Jennifer A. Braun and Ronald K. Hettich, Aaland Law Office, Fargo, North Dakota. The Appellee is represented by Mitchell D. Armstrong, Special Assistant Attorney General, Bismarck, North Dakota. NSP is represented by Lisa M. Agrimonti and Zeviel Simpser of Briggs and Morgan, P.A., Minneapolis, Minnesota.

The parties agree that NSP has a statutory right under the Administrative Agencies Practice Act to be an appellee in this appeal and further agree that, without further notice or hearing, the Court may enter an Order to Amend Caption to include Northern States Power Company, a Minnesota corporation, as Appellee.

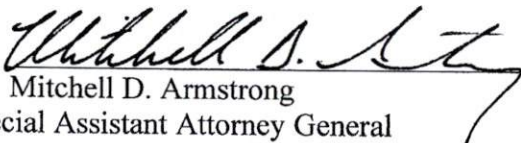
Dated this 2 day of November, 2012

AALAND LAW OFFICE, LTD.

By: 
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ATTORNEYS FOR APPELLANTS

Dated this 31st day of October, 2012

By: 
Mitchell D. Armstrong
Special Assistant Attorney General
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Tel: (701) 258-0630
Fax: (701) 258-6498
Email: marmstrong@smithbakke.com

**ATTORNEYS FOR NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

Dated this 31 day of Oct, 2012

BRIGGS AND MORGAN, P.A.

By: 

Eisa M. Agrimonti (#06547)

Zeviel Simpser (#06794)

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**ATTORNEYS FOR NORTHERN STATES
POWER COMPANY, a Minnesota
corporation**

5017936v2

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF CASS

EAST CENTRAL JUDICIAL DISTRICT

City of Oxbow, et al.,)
)
 Appellants,)
)
 vs.)
)
 North Dakota Public Service)
 Commission)
)
 Appellee.)

Civil No: 09-2012-CV-03147

**ORDER TO AMEND CAPTION
TO INCLUDE THE APPELLEE
NORTHERN STATES POWER
COMPANY, A MINNESOTA
CORPORATION**

The above-entitled matter came before the undersigned at the Courthouse in the City of Fargo, County of Cass, State of North Dakota, on the ___ day of _____, 2012.

The parties appeared through Stipulation to Amend Caption to Include the Appellee Northern States Power Company, A Minnesota Corporation. The Stipulation was signed by the Appellant on November 2, 2012, the Appellee on October 31, 2012, and the proposed Appellee on October 31, 2012. The Appellant was represented by Jennifer A. Braun and Ronald K. Hettich, Aaland Law Office, Fargo, North Dakota. The Appellee is represented by Mitchell D. Armstrong, Special Assistant Attorney General, Bismarck, North Dakota. The proposed Appellee was represented by Lisa Agrimonti and Zeviel Simpser, Briggs and Morgan, P.A., Minneapolis, Minnesota.

Based upon the arguments of counsel and upon all files and records herein, and being duly advised in the proceeding, the Court now makes the following:

IT IS HEREBY ORDERED:

1. The caption of this case shall be amended, and Northern States Power Company, A Minnesota Corporation shall now be named as an appellee and included

on any further pleadings and documents in this matter.

Dated this ____ day of _____, 2012

Judge of District Court

