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November 8, 2012

**RECEIVED**

NOV 09 2012

**PUBLIC SERVICE COMMISSION**

Ilona A. Jeffcoat-Sacco  
Attorney at Law  
Public Service Commission  
State Capitol  
Bismarck, ND 58505-0480

In re: City of Oxbow, et. al. v. North Dakota Public Service Commission  
Civil Number: 09-2012-CV-03147

Dear Ms. Jeffcoat-Sacco:

Enclosed are the following documents with regard to the above-captioned matter:

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

Sheldon A. Smith\*  
Randall J. Bakke\*\*\*\*  
Scott K. Porsborg\*\*\*  
Suzanne M. Schweigert\*\*  
Mitchell D. Armstrong\*\*  
Shawn A. Grinolds\*\*  
Stacy M. Moldenhauer\*\*  
David J. Smith\*\*  
Bradley N. Wiederholt\*\*  
Sandra L. Voller\*\*  
Adrienne L. Buckman\*\*

Very truly yours,

  
MITCHELL D. ARMSTRONG

tmh  
enclosures

Jeffcoat-Sacco.1

\* Licensed in North Dakota

■ Licensed in Minnesota

● Licensed in South Dakota

▲ Licensed in New York

\* Board Certified Civil Trial  
Specialist by National Board  
of Trial Advocacy

NOV 08 2012

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.



\_\_\_\_\_  
 Jennifer A. Braun  
 Ronald K. Hettich  
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 415 11<sup>th</sup> Street South  
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 ND ID# 06875  
 ND ID# 06035

**ATTORNEYS FOR APPELLANTS**

NOV 08 2012

STATE OF NORTH DAKOTA  
COUNTY OF CASS

IN THE DISTRICT COURT  
EAST CENTRAL JUDICIAL DISTRICT

CIVIL NO. 09-2012-CV-03147

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IN THE MATTER OF:

City of Oxbow, et. al.,

Appellants,

v.

North Dakota Public Service Commission,

Appellee.

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**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

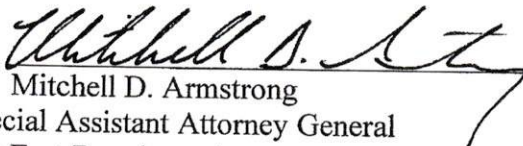
**AALAND LAW OFFICE, LTD.**

By: 

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**ATTORNEYS FOR APPELLANTS**

Dated this 31<sup>st</sup> day of October, 2012

By:   
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Special Assistant Attorney General  
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**ATTORNEYS FOR NORTH DAKOTA  
PUBLIC SERVICE COMMISSION**

Dated this 31 day of Oct, 2012

**BRIGGS AND MORGAN, P.A.**

By: 

Lisa M. Agrimonti (#06547)

Zeviel Simpser (#06794)

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

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NOV 08 2012

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. )

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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

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Judge of District Court

