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November 16, 2012

RECEIVED

NOV 19 2012

PUBLIC SERVICE COMMISSION

Illona 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 and
Northern States Power Company, a Minnesota Corporation
Civil Number: 09-2012-CV-03147

Dear Ms. Jeffcoat-Sacco:

Enclosed please find an Amended Notice of Hearing on Motion to Dismiss and
Notice of Rule 16 Pretrial Conference with regard to the above-captioned matter.
Please note the hearing is now scheduled for November 26, 2012.

Very truly yours,


MITCHELL D. ARMSTRONG

- 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**
- Jack E. Zuger*

slf
enclosure

Jeffcoat-Sacco.3

* Licensed in North Dakota

** Licensed in Minnesota

*** Licensed in South Dakota

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

NOV 16 2012

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, Lonni Hayden, Warren Hayden, Kent Buhr, Danise Buhr, Jon Hager, Marcy Hager, Matt Quibell, Craig Jungberg, Colette Jungberg, Todd Miller, Nancy Miller, Vernon Skarie, June Skarie, Callie Schlieman, Brian Nettestad, Jayme Nettestad, Gregg Christensen, Cindy Christensen, Teri Lingen, Curt Lingen, Donna Peterson, Stanley Todd Miller, Jacqueline Miller, Nicole Bice, Dave Zens, Brenda Zens, James Haugrud, Bree Reinke, Loretta Carson, Dennis Biewer, John Frusciante, Shyla Frusciante, Don Cossette, Marjorie Cossette, Angela R. Cossette, Jana Reinke, Paul Reinke, Kathleen Lingen, Chris Lange, Kay Mahar, Paige Plecity, Michael Sorby, Royce Granlund, Darren Fitch, Matt Peterson, Jim Huesman, Stacey Biewer, Marcus Larson, Colleen Isralson, Tanya Harmon, E. John Carlson, David Harmon, Linda Covell, Don Covell, Daniel Zink, Arden Breimeier, Kristi Houska, Richard Houska, Ray Holzhey, Maria Baker, Ted Johnson, Pat Baker, Karla Slusher, Neal Roesler, Patricia Redlin, Gary Redlin, Jody Slusher, Patrick Reinke, James A. Schlieman, Mary Jane Nipstad, Doug Lingen, Brenda Carlson, Michael Bice, Roger Kotchian, Ryan Binek, Elroy Bakke, Ina Bakke, Raymond Grimen, Debra L. Larson, Noreen Granlund, Curt Bjertness, Gary Cossette,

Appellants,

v.

North Dakota Public Service Commission,

Appellee.

**AMENDED NOTICE OF HEARING ON
MOTION TO DISMISS
AND
NOTICE OF RULE 16
PRETRIAL CONFERENCE**

**TO: JENNIFER A. BRAUN & RONALD K. HETTICH, AALAND LAW OFFICE,
LTD., P.O. BOX 1817, 415 11TH STREET SOUTH, FARGO, ND 58107,
ATTORNEYS FOR APPELLANTS;
and
MITCHELL D. ARMSTRONG, SPECIAL ASSISTANT ATTORNEY GENERAL,
122 EAST BROADWAY AVENUE, BISMARCK, ND 58501, ATTORNEYS FOR
APPELLEE**

PLEASE TAKE NOTICE that a hearing on the October 29, 2012 Motion to Dismiss by Northern States Power Company, a Minnesota corporation, will be held on **November 26, 2012** at **3:00 p.m.** at the Cass County Courthouse, 211 9th Street South Fargo, North Dakota, 58103. A pretrial scheduling conference in accordance with Rule 16 of the North Dakota Rules of Civil Procedure will also be held at this time.

Dated: November 14, 2012

BRIGGS AND MORGAN, P.A.

By: 

Lisa M. Agrimonti (#06547)

Zeviel T. Simpser (#06794)

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City of Oxbow, et al. vs. North Dakota Public Service Commission
Civil No. 09-2012-CV-03147

AFFIDAVIT OF SERVICE BY E-MAIL AND U.S. MAIL

STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

Diane Bailey-Andersen, being first duly sworn, deposes and states that on the 14th day of November, 2012, she served a copy of the attached **Amended Notice of Hearing on Motion to Dismiss and Notice of Rule 16 Pretrial Conference**,

upon:

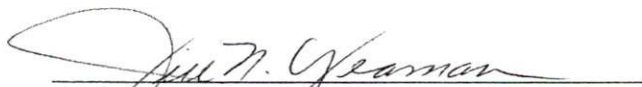
Mitchell D. Armstrong
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(which is the last known email and business addresses of said attorney(s)) by emailing a true and correct copy thereof and by depositing a true and correct copy thereof in the United States mail, in Minneapolis, Minnesota, postage prepaid.


Diane Bailey-Andersen

Subscribed and sworn to before me
this 14th day of November, 2012



Notary Public

