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February 6, 2013

Lisa M. Agrimonti  
(612) 977-8656  
lagrimonti@briggs.com

**VIA FACSIMILE AND MAIL**

Clerk of Court  
Cass County District Court  
211 South 9th Street  
PO Box 2806  
Fargo, ND 58108-2806

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

Dear Clerk of Court:

Enclosed for filing is a Notice of Entry of Order. By copy, opposing counsel is served with same.

Please call me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa M. Agrimonti", with a long horizontal flourish extending to the right.

Lisa M. Agrimonti

LMA/trl

Enclosure

cc: Mitchell D. Armstrong  
Sean Foss  
Ronald Hettich  
Jennifer A. Braun

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,

**NOTICE OF ENTRY OF ORDER**

v.

North Dakota Public Service Commission and  
Northern States Power Company, a Minnesota  
corporation,

Appellees.

PLEASE TAKE NOTICE that an Order for Dismissal with Prejudice was duly made, entered, and filed in the above-captioned matter on February 4, 2013, and that attached hereto and made a part hereof as though fully set forth herein is a true and correct copy of the Order for Dismissal with Prejudice so made, entered, and filed.

Dated: February 6, 2013

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

By: 

Lisa M. Agrimonti (# 06547)

Zeviel Simpser (# 06794)

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STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF CASS

EAST CENTRAL JUDICIAL DISTRICT

<p>City of Oxbow, et. al.,</p> <p style="text-align: right;">Appellants,</p> <p style="text-align: center;">v.</p> <p>North Dakota Public Service Commission, and Northern States Power Company, a Minnesota corporation.</p> <p style="text-align: right;">Appellees.</p>	<p>Civil No: 09-2012-CV-03147</p> <p style="text-align: center;"><b>ORDER TO DISMISS WITH PREJUDICE</b></p>
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Pursuant to the Stipulation to Dismiss With Prejudice, the above-captioned administrative appeal is hereby dismissed with prejudice and without costs or disbursements to any party.

Let Judgment be entered in accordance herewith.

Dated this 4<sup>th</sup> day of February, 2013.

  
 Judge Lisa K. Fair McEvers

FILED-CLERK OF DISTRICT COURT

FEB 04 2013

CASS COUNTY, ND

Filed - Clerk of District Court  
1/30/2013 3:59:52 PM  
Cass County, ND

**AFFIDAVIT OF SERVICE BY FACSIMILE & U.S. MAIL**

STATE OF MINNESOTA )

)

ss.

Court File No. 09-2012-CV-03147

COUNTY OF HENNEPIN )

)

Rachel Rolseth, being first duly sworn, deposes and states that on the 6th day of February, 2013, she served the attached

**NOTICE OF ENTRY OF ORDER**

upon:

Sean Foss  
Kennelly & O'Keeffe  
313 NP Avenue  
P.O. Box 2105  
Fargo, ND 58107-2105  
(701) 235-8000

Mitchell D. Armstrong  
Smith Bakke Porsborg Schweigert  
Armstrong  
122 East Broadway  
P.O. Box 460  
Bismarck, ND 58502-0460  
(701) 258-0630

Jennifer A. Braun  
Aaland Law Office, Ltd.  
P.O. Box 1817  
Fargo, ND 58107-1817  
(701) 232-4037

Ronald Hettich  
Aaland Law Office, Ltd.  
P.O. Box 1817  
Fargo, ND 58107-1817  
(701) 232-4037

(Which is the last known address of said attorney) by depositing a true and correct copy thereof in the United States mail, postage prepaid, and by transmitting via facsimile to the numbers above.



Rachel Rolseth

Subscribed and sworn to before me this 6th day of February, 2013

*Theresa A. Senart*

Notary Public

