
Facsimile Cover Sheet

To: Todd Kranda
Kelsch, Kelsch, Ruff, & Kranda

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From: Annette Bendish
Company ND Public Service Commission
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Date: 7-16-08

**Pages including this
cover page:** 2

Todd,

Attached is the signature page of the Stipulation.

Annette

KELSCH, KELSCH, RUFF & KRANDA
Facsimile Transmittal Form

To:	Attorney Illona Jeffcoat-Sacco and Attorney Annette Bendish
Fax No.:	701-328-2311 701-328-2410
From:	Todd D Kranda Kelsch Law Firm 103 Collins Ave., P.O. Box 1266 Mandan, North Dakota 58554-7266 Phone: (701) 663-9818 Fax: (701) 663-9810 www.kelschlaw.com
Date/Time:	July 15, 2008 4:58pm
Kelsch Client Name:	RES America Inc., PEAK Wind, and Burchills Farms Incorporated
Kelsch File No.:	12510
<input type="checkbox"/> Hard copy will be mailed Please confirm receipt of fax by telephone or return fax	

You should receive 4 page(s), including this cover page.

If you do not receive all of the pages, please call Melissa or Todd at (701) 663-9818.

MESSAGE:

Attorney Jeffcoat-Sacco and Attorney Bendish:

Attached is the Stipulation or Extensions and for Appelle's Brief and Order for Extension which both Attorney Kranda and Attorney Kettleson have signed. Please review the document. If you find it acceptable, please sign it and fax it back to this office. We will then file with the court.

Thank your for your attention to this matter. If you have any questions, please contact our office.

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THANK YOU.

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

IN DISTRICT COURT
SOUTH CENTRAL JUDICIAL DISTRICT
CIVIL NO. 08-08-C-1474

RES Americas Inc., PEAK Wind
Development LLC, and Burchill Farms
Incorporated,

Appellants,

vs.

Public Service Commission and
Minnkota Power Cooperative, Inc.,

Appellees.

**STIPULATION FOR EXTENSION
FOR APPELLANT'S BRIEF AND FOR
APPELLEE'S BRIEF
AND
ORDER FOR EXTENSION**

STIPULATION

The parties to this Stipulation are: the Appellants, RES Americas Inc., PEAK Wind Development LLC, and Burchill Farms Incorporated, by and through its attorneys, Thomas D. Kelsch and Todd D. Kranda; and the Appellees, the Public Service Commission by and through its attorneys, Ilona Jeffcoat-Sacco and Annette Bendish; and Minnkota Power Cooperative, Inc., by and through its attorney, Jerome Kettleon.

WHEREAS, a June 27, 2008 letter was issued by the Court Administrator's office in which the appeal was assigned to the Honorable Gail Hagerty and the correspondence further stated that appellant's brief must be submitted on or before July 18, 2008 with appellee's brief due within 10 days thereafter;

WHEREAS, the time period for submitting the appellant's brief on or before July 18, 2008 and for the appellees' brief are by this agreement of the parties being extended until August 15, 2008 for appellant's brief and until September 15, 2008 for appellees' brief based on certain scheduling concerns that was raised by the attorney for the Appellants and attorney for Appellees;

WHEREAS, the attorney for the Appellants has asked for this additional time to respond and file Appellant's brief given that lead counsel for appellant's is out of town for an extended

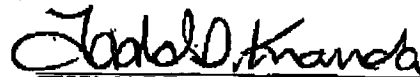
period to participate in a family event and that the attorney for the Appellee prefers additional time to respond with their brief as well for the pending appeal in this matter; and

WHEREAS, the Appellants and the Appellees have through their respective attorneys reached an agreement regarding the granting of an extension for the filing and service of the appellant's brief and the appellee's brief;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED BY AND BETWEEN THE PARTIES THROUGH THEIR ATTORNEYS, as follows:

- 1. That Appellants may file their appellant's brief on or before August 15, 2008;
 - 2. That Appellees may file their appellee's brief on or before September 15, 2008;
- and
- 3. That either party may submit this signed Stipulation to the Court without further notice to the other party for the entry of the following Order granting such extensions.


Dated: 7/15/08


 THOMAS D. KELSCH (ID 03918)
 TODD D. KRANDA, (ID 04512)
 Attorney for RES Americas Inc., PEAK
 Wind Development LLC, and Burchill
 Farms Incorporated, Appellants

Dated: 7-15-08


 JEROME KETTLESON (ID 03095)
 Attorney for Minkota Power Cooperative,
 Appellee

Dated: 7-16-08


 ILLONA JEFFCOAT-SACCO (ID 03315)
 ANETTE BENDSIH (ID 05790)
 Assistant Attorney General for Public
 Service Commission,
 Appellee

From:kelsch law firm

7016639810

07/15/2008 15:20

#694 P.004/004

ORDER FOR EXTENSION

Upon review of the Stipulation of the parties through their respective attorneys, it is found that by the Stipulation, the parties have agreed to allow an extension for the filing and service of the appellant's brief which shall be completed on or before Friday, August 15, 2008 and appellee's brief which shall be completed on or before Monday, September 15, 2008.

IT IS HEREBY ORDERED, ADJUDGED and DECREED, that the Appellants may file and serve the appellant's brief on or before Friday, August 15, 2008 and that the Appellees may file and serve the appellee's brief on or before Monday, September 15, 2008.

Dated this ____ day of July, 2008.

BY THE COURT:

Honorable Gail Hagerty