

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

IN DISTRICT COURT
SOUTHWEST JUDICIAL DISTRICT
CIVIL NO. 08-08-C-1709

RES Americas, Inc. PEAKWIND
Development LLC, and Burchill Farms
Incorporated ,

Appellants,

vs.

Public Service Commission and
Minnkota Power Cooperative, Inc.,

Appellees.

**AFFIDAVIT OF SERVICE
RECEIVED**

OCT 02 2008

PUBLIC SERVICE COMMISSION

STATE OF NORTH DAKOTA)
COUNTY OF MORTON) ss.

MELISSA K SCHNEIDER, being first duly sworn, on oath, deposes and says: That she is a citizen of the United States, over the age of eighteen and not a party to the above-entitled action.

That on the 1 day of October, 2008, this affiant served by depositing in the United States Post Office at Mandan, North Dakota, a true and correct copy of the following document(s) in the above captioned action:

- 1. *Stipulation for Extension of Schedule Briefing*
- 2. *Proposed Order*

That a copy of the above document(s) was securely enclosed in an envelope with postage duly prepaid, and addressed as follows:

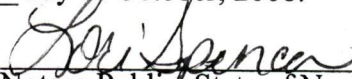
JEROME C. KETTLESON
314 E THAYER AVE
BISMARCK ND 58502

ILLONA JEFFCOAT-SACCO
PUBLIC SERVICE COMMISSION
STATE CAPITAL BUILDING
600 E BOULEVARD AVENUE; DEPT 408
BISMARCK ND 58505-0480

WAYNE STENEHJEM
ATTORNEY GENERAL
600 E BOULEVARD AVENUE
DEPARTMENT 125
BISMARCK ND 58505


MELISSA K SCHNEIDER

Subscribed and sworn to before me this 1 day of October, 2008.


Notary Public, State of North Dakota



STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

IN DISTRICT COURT
SOUTH CENTRAL JUDICIAL DISTRICT
CIVIL NO. 08-08-C-1709/001

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
OF SCHEDULE BRIEFING**

STIPULATION

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

WHEREAS, an Order was given by the Honorable Bruce B. Haskel stating when the appellant's brief must be submitted by;

WHEREAS, the time period for submitting the appellant's brief was on or before September 29, 2008, and Appellees Brief served and filed 10 days after service of Appellants Brief;

WHEREAS, the attorney for the Appellants and Appellees have asked for additional time file brief; 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 filing of the appellant'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 October 30, 2008;

2. Appellees may file their Appellees Brief(s) on or before December 1, 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 extension.

Dated: 9/30/08


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

Dated: _____

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

Dated: _____


ILLONA JEFFCOAT-SACCO (ID 03315)
Attorney for Public Service Commission,
Appellee

Dated: _____

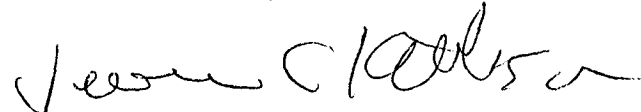
ANETTE BENDSIH (ID 05790)
Attorney for Public Service Commission,
Appellee

2. Appellees may file their Appellees Brief(s) on or before December 1, 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 extension.

Dated: 9/2/08


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

Dated: 10/1/08


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


Dated: _____

ILLONA JEFFCOAT-SACCO (ID 03315)
Attorney for Public Service Commission,
Appellee


Dated: _____

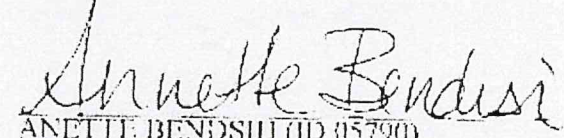
ANETTE BENDSIH (ID 05790)
Attorney for Public Service Commission,
Appellee

2. Appellees may file their Appellees Brief(s) on or before December 1, 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 extension.

Dated: 9/2/08 _____

THOMAS D. KELSCH, (ID 03948)
Attorney for RES Americas Inc., PEAK
Wind Development LLC, and Burchill
Farms Incorporated, Appellants

Dated: _____
JEROME KETTLESON (ID 03095)
Attorney for Minnesota Power Cooperative,
Appellee

Dated: 9-30-08 _____

HILONA JEFFCOAT-SACCO (ID 03315)
Attorney for Public Service Commission,
Appellee

Dated: 9/30/08 _____

ANETTE BENDISI (ID 05790)
Attorney for Public Service Commission,
Appellee

ORDER

Upon review of the Stipulation of the parties through their respective attorneys, it is found that this Court has jurisdiction over the subject matter and that by the Stipulation, the parties have agreed to allow an extension for the filing and service of the appellant's brief on or before Friday, August 15, 2008.

IT IS HEREBY ORDERED, ADJUDGED and DECREED, that the Appellants may file and serve the appellant's brief on or before Thursday October 30, 2008 and the Appellees may file their appellees' brief(s) on or before Monday, December 1, 2008.

Dated this _____ day of October, 2008.

BY THE COURT:

Honorable Bruce B. Haskel