

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

IN DISTRICT COURT
Case No. 08-C-1474

RECEIVED

NOV 10 2008

PUBLIC SERVICE COMMISSION

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

Appellants,

vs.

Public Service Commission and
Minnkota Power Cooperative, Inc,

Appellees.

ORDER

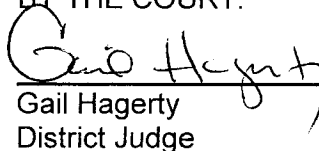
The Court has two preliminary matters to decide in this case.

The appellants have requested the Court permit them to offer documents not considered by the Public Service Commission in considering their request to intervene. The Court will not consider documents which were not presented to the PSC. To do so would require a remand.

The appellants have also requested permission to file a reply brief and to schedule a one hour oral argument in this matter. Those requests are granted.

Dated October 24, 2008.

BY THE COURT:


Gail Hagerty
District Judge