

FAX COVER SHEET

OHNSTAD TWICHELL, P.C.

12 SE THIRD ST., P.O. BOX 547, MAYVILLE ND 58257

PHONE: (701) 788-3251

FAX (701) 788-4243

Date: Jan 21, 2009

RE: Res vs Minnkota

To: Ilona Jeffcoat Sacco

File Number: _____

Location: Jerry Kethelson

Fax No.: 223-7865

From: Bill Brudvik

328-2410

Location: Ohnstad Twichell, P.C., Mayville, ND

No. of Pages Including Cover Sheet: _____

If you have any questions or if you do not receive all of the pages correctly, please call and ask for _____.

SPECIAL INSTRUCTIONS:

Please find stipulation and
notice of subst. of
counsel for hearing
on Friday.

B. 11

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Ohnstad Twichell
P.C.

Your life. Your law firm.

Manfred R. Ohnstad 1914 - 1987

January 21, 2009

- Lukas D. Andrud
- Duane R. Breilling*
- Brett A. Brudvik
- William J. Brudvik*
- John P. Dosland,* Of Counsel
- Susan L. Ellison*
- Sean M. Fredricks*
- Erin A. Muldoon Haug*
- Robert G. Hoy*
- John A. Juelson
- Ross V. Keller*
- Marshall W. McCullough
- Christopher M. McShane*
- Michael D. Nelson*
- Brian D. Neugebauer*
- Robert E. Rosenvoid*
- John T. Shockley*
- Sara K. Sorenson*
- Daniel R. Twichell, Of Counsel
- S. Lee Vinje
- David L. Wanner

Pierce & Durick
 Attn: Jerome Kettleston
 314 East Thayer Avenue
 Bismarck, North Dakota 58502

Sent by Fax Only: 701-223-7865

Illona A. Jeffcoat-Sacco
 c/o Public Service Commission
 State Capitol
 Bismarck, North Dakota 58505

Sent by Fax Only: 701-328-2410

RE: RES America Developments Inc., PEAK Wind Development, LLC, Burchill Farms vs Public Service Commission and Minnkota Power Cooperative, Inc.

Dear Jerry and Illona:


Enclosed herewith and served upon you by mail please find Stipulation and Notice of Substitution of Counsel in the above matter.

Peggy J. Buchholz, PLS
Office Administrator

*Also licensed in Minnesota

Sincerely yours,

OHNSTAD TWICHELL, P.C.



William J. Brudvik

WJB:sgg
Enc

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF BURLEIGH

SOUTH CENTRAL JUDICIAL DISTRICT

RES America Developments, Inc.,)
PEAK Wind Development, LLC,)
and Burchill Farms Incorporated,)

Civil No. 08-08-1474

NOTICE OF
SUBSTITUTION OF COUNSEL

Appellants,)

vs)

Public Service Commission, and)
Minnkota Power Cooperatives, Inc.)

**TO: NORTH DAKOTA PUBLIC SERVICE COMMISSION
MINNKOTA POWER COOPERATIVES, INC.**

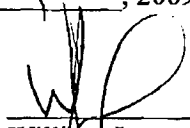
YOU ARE HEREBY NOTIFIED that RES America Developments, Inc., PEAK Wind Development, LLC, and Burchill Farms, Inc., Appellants, in the above action, have substituted William J. Brudvik (03290), Ohnstad Twichell, P. C., P. O. Box 547, Mayville, North Dakota, 58257, as attorney of record in this case in place of Thomas D. Kelsch, of Kelsch, Kelsch, Ruff and Kranda, P. O. Box 1266, Mandan, North Dakota, 58554-7266.

A Stipulation executed in counterpart is attached hereto and incorporated herein by reference.

All papers and documents in this action should now be served on Ohnstad Twichell, P.C., P. O. Box 547, Mayville, North Dakota, 58257.

OHNSTAD TWICHELL
12 SOUTHEAST THIRD
POST OFFICE BOX 547
MAYVILLE, ND 58257-0547
(701) 788-3251

Dated this 21ST day of January, 2009.



William J. Brudvik
Ohnstad Twichell, P. C.
12 SE Third Street
P O Box 547
Mayville, North Dakota, 58257
(701) 788-3251
(701) 788-4243

ORDER

This matter came before the undersigned, Judge of District Court, pursuant to Stipulation and Notice of Substitution of Counsel. The Notice having been duly served upon the Appellees by and through their attorneys of record,

IT IS HEREBY ORDERED that Ohnstad Twichell, P.C. and William J. Brudvik be substituted as attorneys of record.

Dated this _____ day of _____, 2009.

Judge of District Court

OHNSTAD TWICHELL
12 SOUTHEAST THIRD
POST OFFICE BOX 547
MAYVILLE, ND 58257-0547
(701) 788-3251

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF BURLEIGH

SOUTH CENTRAL JUDICIAL DISTRICT

RES America Developments, Inc., PEAK)
Wind Development, LLC, and Burchill Farms))
Incorporated,)

Civil No. 08-08-1474

Appellants,)

STIPULATION -
SUBSTITUTION OF COUNSEL

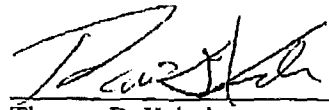
vs)

Public Service Commission, and)
Minnkota Power Cooperatives, Inc.)

**TO: NORTH DAKOTA PUBLIC SERVICE COMMISSION
MINNKOTA POWER COOPERATIVES, INC.**

IT IS HEREBY STIPULATED by Thomas D. Kelsch of the law firm of Kelsch, Kelsch, Ruff & Kranda, P. O. Box 1266, Mandan, North Dakota, 58554-7266, the attorney of record for RES America Developments, Inc., PEAK Wind, LLC and Burchill Farms, Inc., Appellants in the above-entitled action, that William J. Brudvik , of Ohnstad Twichell, P.C., P. O. Box 547, Mayville, North Dakota, 58257, is substituted as attorney of record for the Appellants in the above action in place of said Thomas D. Kelsch.

It is agreed that counterpart signatures of the foregoing attorney and Appellants may be used to expedite the filing of this Stipulation.


Thomas D. Kelsch /Date 1/20/09

RES Americas, Inc.

By: _____ /Date
Its:

Peak Wind Development, LLC

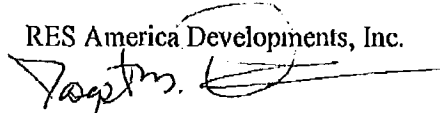
By: Bill Netsky _____ /Date
Its: Member

Burchill Farms, Inc.,

By: Nye Burchill _____ /Date
Its: President

Thomas D. Kelsch / Date

RES America Developments, Inc.

 /20/09

By: Joseph DeVito /Date
Its: Vice President

Peak Wind Development, LLC

By: William Noeske /Date
Its: Member

Burchill Farms, Inc.,

By: Nye Burchill /Date
Its: President

Thomas D. Kelsch /Date

RES America Developments, Inc.

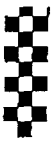
By: Joseph DeVito /Date
Its: Vice President

Peak Wind Development, LLC

 1-20-0
By: William Noeske /Date
Its: Member

Burchill Farms, Inc.,

By: Nye Burchill /Date
Its: President



Thomas D. Kelsch / Date

RES Americas, Inc.

By: _____ /Date
Its:

Peak Wind Development, LLC

By: Bill Netsky /Date
Its: Member

Burchill Farms, Inc.,

Nye Burchill 10/20/09
By: Nye Burchill Date
Its: President

