



Public Service Commission  
State of North Dakota

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April 21, 2011

Ms. Debra Simenson  
Clerk of the District Court  
PO Box 1055  
Bismarck, ND 58502

**RE: CIVIL NO. 08-10-C-02329**  
**Dakota Resource Council v. Public Service Commission *et al.***  
**PSC Case No. RC-08-640**

Dear Ms. Simenson:

Enclosed is a copy of an Affidavit of Service that was sent to Derrick Braaten by mail and by email today for service of our Appellee Response Brief in the captioned case. The reason we sent this to him was because the Appellee Response Brief that we had sent to him on April 20, 2011 came back to us insufficient postage.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Mark Gruman  
Special Assistant Attorney General

enclosure

c:w/enclosure  
Ladd Erickson  
Zac Smith  
Brian R. Bjella  
Derrick Braaten

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF BURLEIGH

SOUTH CENTRAL JUDICIAL DISTRICT

_____	)	
Dakota Resource Council	)	CIVIL NO. 08-10-C-02329
	)	
Appellant,	)	
	)	
vs.	)	
	)	Affidavit of Service
	)	
North Dakota Public Service Commission,	)	
McLean County, North Dakota	)	
Department of Transportation, and North	)	
Dakota Game and Fish Department and	)	
Falkirk Mining Company,	)	
	)	
Appellees	)	
_____	)	
PSC Case No. RC-08-640	)	
OAH File No. 2010-0122	)	
_____	)	

John Hamre deposes and says that:

He is over the age of 18 and not a party to this action and on the **21st day of April, 2011**, he deposited in the United States Mail, Bismarck, North Dakota, **1** envelope by first class mail, fully prepaid, all securely sealed, containing a photocopy of:

**Appellee North Dakota Public Service Commission Response Brief**

The envelope was addressed as follows:

Derrick Braaten  
Sarah Vogel Law Partners  
222 North 4th Street  
Bismarck, ND 58501-4004

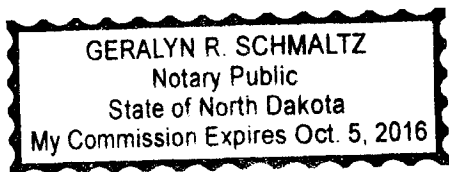
John Hamre further states that he emailed, with the permission of Derrick Braaten, a PDF copy of the same to the following email address:

[derrick@svlawpartners.com](mailto:derrick@svlawpartners.com)

Each address shown is the respective addressee's last reasonably ascertainable post office address.

Subscribed and sworn to before me  
this 21st day of April, 2011.

**SEAL**



*[Handwritten Signature]*

*[Handwritten Signature]*  
Notary Public