



Public Service Commission

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May 6, 2011

Honorable Donald L. Jorgensen
Judge of the District Court
514 E Thayer
PO Box 1055
Bismarck, ND 58502

Re: Dakota Resource Council v. ND Public Service Commission, et. al
08-10-C-02329
PSC Case No. RC-08-640

Dear Judge Jorgensen,

As you are aware, the Appellants in this matter, Dakota Resource Council (DRC), submitted to you a reply brief for your consideration earlier this week. It is the North Dakota Public Service Commission's position that, in light of your February 1, 2011 Order Extending Briefing Deadlines, all parties were limited to one brief, consistent with Rule 9.1 of the North Dakota Rules of Court.

Therefore, the Public Service Commission respectfully requests that DRC's reply brief not be considered in your determination of this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Gruman", followed by a long horizontal line.

Mark Gruman
Legal Counsel
North Dakota Public Service Commission

c: Derrick Braaten
Brian Bjella
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Zac Smith

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APPEAL - Letter to Judge Jorgensen re Not
considering DRC's reply brief