

APPROVED

DATE: 6-24-09
[Signature]

M O T I O N

June 24, 2009

**Dakota Resource Council, Tangen,
Eberts, Hart vs. GTLE Dakota Plant 1
Complaint**

Case No. RC-09-32

I move the Commission grant the Complainants' Motion to Amend and Supplement Complaint, dismiss without prejudice Respondent's alternative Motions to Dismiss or for Summary Judgment, in order to clarify and expedite the proceeding, and dismiss as moot Complainant's responsive Motions to Strike and to Refuse or Continue in Case No. RC-09-32, *Dakota Resource Council, et al. v. GTLE Dakota Plant 1*, and request that the Administrative Law Judge issue the corresponding order implementing this motion and setting forth the procedure for going forward with the case.

IJS