

STATE OF NORTH DAKOTA

PUBLIC SERVICE COMMISSION
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DEC 31 2009

OAH File No. 20090071

PUBLIC SERVICE COMMISSION

Dakota Resource Council, *et al.*, Complainants,

vs.

Case No. RC-09-32

GTLE Dakota Plant 1 LLC, Respondent.

**ORDER DENYING MOTION TO
RESCHEDULE PREHEARING CONFERENCE**

Complainants Dakota Resource Council, *et al.* have moved to reschedule the prehearing conference continued indefinitely April 13, 2009.

There is pending before the Commission the Complainants' first amended and supplemented complaint, together with the Respondent's answer and motion to dismiss the amended and supplemented complaint or, in the alternative, motion for summary judgment. The Commission's decision upon the pending motion may be dispositive of this case, and in any event will determine the further proceedings to be had for this case.

Pending the Commission's consideration and decision of the pending motion and further order, a prehearing conference is premature, and accordingly it is

Ordered, that the Complainants' motion to reschedule prehearing conference shall be, and it hereby is, denied.

Dated December 31, 2009.

State of North Dakota
Public Service Commission

By: 
Al. Wahl, Temporary Administrative Law Judge

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CERTIFICATE OF SERVICE

The undersigned certifies that complete and correct copies of the **ORDER DENYING MOTION TO RESCHEDULE PREHEARING CONFERENCE** to which this certificate of service is annexed were served today by e-mail, addressed as follows:

Mr. Derrick Braaten
Sarah Vogel Law Firm, PC
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Mr. Paul Blackburn
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Mr. Brian R. Bjella
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Ms. Ilona Jeffcoat-Sacco, General Counsel
North Dakota Public Service Commission
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A copy of the protective order was filed today by e-mail addressed to Mr. Darrell Nitschke, Executive Director, North Dakota Public Service Commission, dnitschk@nd.gov.

Dated December 31, 2009.

OFFICE OF ADMINISTRATIVE HEARINGS


Al. Wahl