

Capital Electric Cooperative, Inc.,

Court File No. 08-2014-CV-02349

Appellant,

v.

North Dakota Public Service Commission and
Montana-Dakota Utilities Co., a Division of
MDU Resources Group, Inc.,

NOTICE OF APPEAL

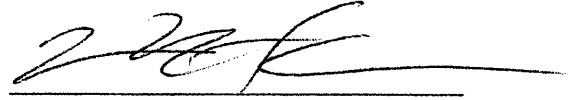
Appellees.

[¶1] NOTICE IS HEREBY GIVEN that Capital Electric Cooperative, Inc. (herein “Capital Electric”), the above-named Appellant, hereby appeals to the North Dakota Supreme Court from the District Court’s “MEMORANDUM AND ORDER AFFIRMING THE PUBLIC SERVICE COMMISSION’S FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER” (herein “June 3, 2015 Order”) issued on June 3, 2015 and filed June 5, 2015.

[¶2] On September 17, 2014, the Public Service Commission (herein “Commission”) issued its Findings of Fact, Conclusions of Law and Order and issued Montana-Dakota Utilities a Certificate of Public Convenience and Necessity No. 5845. Pursuant to the Administrative Practices Act, Capital Electric Cooperative, Inc. appealed to Burleigh County District Court. The District Court, in its June 3, 2015 Order, affirmed the Commission’s decision. Capital Electric appeals from the June 3, 2015 Order and states as its preliminary statement of issues as follows: (1) the Commission’s Order is not in accordance with the law; (2) the Commission’s Findings of Fact are not supported by a preponderance of the evidence; (3) the Commission’s Conclusions of Law and Order are not supported by its finding of facts; and (4) the Findings of Fact made by the Commission do not sufficiently address the evidence presented to the Commission by Capital Electric.

Dated this 3rd day of August, 2015.

PRINGLE & HERIGSTAD, PC

A handwritten signature in black ink, appearing to read 'C. Larson', is written over a horizontal line.

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