

## Jeffcoat-Sacco, Illona

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**From:** Supreme Court Clerk's Office - Erck, Sarah <SErck@ndcourts.gov>  
**Sent:** Tuesday, March 29, 2016 4:53 PM  
**To:** 'molson@pringlend.com'; Schuh, John M.; Jeffcoat-Sacco, Illona;  
'psanderson@esattorneys.com'; 'dan.kuntz@mduresources.com'  
**Cc:** Hill, James  
**Subject:** Judgment in North Dakota Supreme Court No. 20150227  
**Attachments:** judgment.pdf

Attached is the Judgment in this matter; no hard copy of the Judgment will be forwarded. The Judgment will be final upon disposition of a Petition for Rehearing, if any, or when the time for filing such petition has expired.

attachment

Sarah E. Erck  
Deputy Clerk  
North Dakota Supreme Court

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158 PU-13-871 Filed: 3/29/2016 Pages: 2  
SC APPEAL – Judgment

IN THE SUPREME COURT  
STATE OF NORTH DAKOTA

JUDGMENT

Supreme Court No. 20150227  
Burleigh County Case No. 2014-CV-02349

Appeal from the district court for Burleigh County.

**Capital Electric Cooperative, Inc.,**

**Appellant**

v.

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

**Appellees**

This appeal having been heard by the Court at the January 2016 Term before:

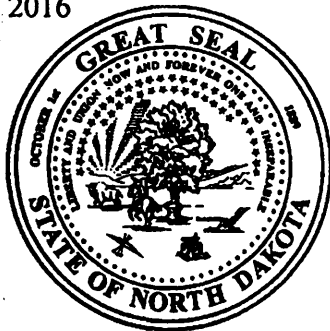
[¶1] Acting Chief Justice Dale V. Sandstrom, Justice Carol Ronning Kapsner, Justice Daniel J. Crothers, Justice Lisa Fair McEvers, and Surrogate Judge Mary Muehlen Maring, sitting in place of Chief Justice Gerald W. VandeWalle;

[¶2] and the Court having considered the appeal, it is ORDERED AND ADJUDGED that the judgment of the district court is AFFIRMED.


[¶3] IT IS FURTHER ORDERED AND ADJUDGED that the North Dakota Public Service Commission and Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., have and recover from Capital Electric Cooperative, Inc. costs and disbursements on this appeal under Rule 39, N.D.R.App.P., to be taxed and allowed in the court below.

[¶4] This judgment, together with the opinion of the Court filed this date, constitutes the mandate of the Supreme Court on the date it is issued to the district court under N.D.R.App.P. 40.

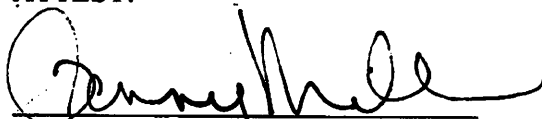
Dated: March 29, 2016



By the Court:

  
\_\_\_\_\_  
Acting Chief Justice

ATTEST:

  
\_\_\_\_\_  
Clerk