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To: [Hamre, John G.](#)
Subject: Filing Accepted for Case: 08-2018-CV-02937; Environmental Law and Policy Center, et al. vs. North Dakota Public Service Commission, et al.; Envelope Number: 3293156
Date: Friday, February 01, 2019 8:45:59 AM

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Filing Accepted

Envelope Number: 3293156

Case Number: 08-2018-CV-02937

Case Style: Environmental Law and Policy Center, et al. vs. North Dakota Public Service Commission, et al.



The filing below was reviewed and has been accepted by the clerk's office. You may access the file stamped copy of the document filed by clicking on the below link.

| Filing Details | |
|----------------------------|--|
| Court | Burleigh County - South Central District |
| Case Number | 08-2018-CV-02937 |
| Case Style | Environmental Law and Policy Center, et al. vs. North Dakota Public Service Commission, et al. |
| Date/Time Submitted | 1/31/2019 5:26 PM CST |
| Date/Time Accepted | 2/1/2019 8:45 AM CST |
| Accepted Comments | |
| Filing Type | Exhibit |
| Filing Description | CR Exhibit 3 Request for ALJ |
| Activity Requested | EFileAndServe |
| Filed By | John Hamre |
| Filing Attorney | Illona Jeffcoat-Sacco |

| Document Details | |
|---------------------------------|---------------------------------------|
| Lead Document | CR Exhibit 3 Request for ALJ.pdf |
| Lead Document Page Count | 3 |
| File Stamped Copy | View Stamped Document |

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North Dakota Court's Information Technology Department 701-328-4218
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Public Service Commission
State of North Dakota

08-2018-CV-02937

COMMISSIONERS

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Julie Fedorchak
Brian Kroshus

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10 July 2018

Timothy Dawson, Director
Office of Administrative Hearings
2911 North 14th Street – Suite 303
Bismarck, ND 58503

Re: ELPC & DRC v. Meridian Energy Grp.
Energy Conversion Facility – Davis Refinery
Complaint

Case No. PU-18-223

Dear Mr. Dawson:

Enclosed is a request for an Administrative Law Judge for the captioned case. The case is in its early stages, the Complaint has not yet been served, and a Notice of Hearing has not yet been issued. When the Complaint is served we will forward copies of the service documents to your office and likewise when a Notice is issued.

The Administrative Law Judge will serve as a procedural law judge. If you have any questions, please contact me. Thank you.

Best regards,

Illona A. Jeffcoat-Sacco
General Counsel

enclosures

c: w/encl. via email: Derrick Braaten (derrick@braatenlawfirm.com)
JJ England (jj@braatenlawfirm.com)
Scott Strand (sstrand@elpc.org)
Lawrence Bender (lbender@fredlaw.com)

Attachment
 Request for ALJ
 10 July 2018

Re: ELPC & DRC v. Meridian Energy Grp.
 Energy Conversion Facility – Davis Refinery
 Complaint

Case No. PU-18-223

| AGENCY | Address | Telephone Number |
|---|---|--|
| North Dakota Public Service Commission | 600 E. Blvd. Ave. Dept. 408 Bismarck, ND 58505-0480 | 701-328-2400 |
| Representation Illona Jeffcoat-Sacco Advisory Counsel John Schuh Legal Counsel | Address 600 E. Blvd. Ave. Dept. 408 Bismarck, ND 58505-0480 | Telephone Number 01-328-2407 701-328-2421 |
| PARTY Dakota Resource Council | Address 109 North 4 th St. Suite 100 Bismarck, ND 58501-4003 | Telephone Number 701-221-2911 |
| Representation Derrick Braaten JJ England Attorneys for Dakota Resource Council | Address 109 North 4 th St. Suite 100 Bismarck, ND 58501-4003 | Telephone Number 701-221-2911 |
| PARTY Environmental Law & Policy Center | Address 15 South Fifth St., Suite 500 Minneapolis, MN 55402 | Telephone Number 612-386-6409 |
| Representation Scott Strand, Senior Attorney | Address 15 South Fifth St., Suite 500 Minneapolis, MN 55402 | Telephone Number 612-386-6409 |
| PARTY Meridian Energy Group, Inc. | Address 2070 Business Center Dr. Irvine, CA 92612-1127 | Telephone Number 949-207-3815 |
| Representation To be determined | Address | Telephone Number |



REQUEST FOR ADMINISTRATIVE LAW JUDGE--COMPLAINT
 NORTH DAKOTA OFFICE OF ADMINISTRATIVE HEARINGS
 SFN 17818 (Rev. 06-2007)

| | | |
|--|--|------------------------------------|
| Name of Agency, Board, or Commission North Dakota Public Service Commission (Note: NOT the Complainant) | | |
| Name of Respondent(s) Meridian Energy Group, Inc. | Address 2070 Business Center Dr., Irvine, CA 92612-1127 | Telephone Number (949) 207-3815 |
| | | |

The above named agency, board, or commission has taken administrative action pursuant to its authority found in North Dakota Century Code Chapter 49-22 _____ (North Dakota Century Code and/or North Dakota Administrative Code).

| |
|--|
| The administrative action is more fully described as follows: On June 29, 2018, Dakota Resource Council & The Environmental Law & Policy Center filed a Complaint against Meridian Energy Group, Inc. |
|--|

Has the respondent been provided a copy of the complaint? Yes No

Attached is a copy of the complaint, related documents and correspondence, and certificate, affidavit or admission of service. If the respondent has otherwise been notified about this administrative action, please explain in the comments section below.

It requests designation of an administrative law judge (please check one):

- To conduct the hearing and issue recommended findings of fact, conclusions of law, and order.
- To serve as a procedural administrative law judge only (no recommended decision). The agency head will be present at the hearing as required by NDCC 28-32-31(5). See NDCC 54-57-04.
- To conduct the hearing, issue findings of fact, conclusions of law, and a final order.

PLEASE MAKE A REQUEST FOR AN ADMINISTRATIVE LAW JUDGE AT LEAST ONE MONTH BEFORE THE HEARING.

| | |
|--|------------------|
| Agency Contact Person(s) See attachment | Telephone Number |
|--|------------------|

Representation [attorney (or other)] if known:

| | |
|--------|------------------|
| Agency | Telephone Number |
| Party | Telephone Number |
| Party | Telephone Number |

| |
|---|
| Additional Comments The Complaint has not yet been served, and a Notice of Hearing has not yet been issued. When the Complaint is served we will forward it to your office and likewise when a Notice is issued. |
|---|

(For agencies required to use OAH, notice of hearing will be issued by the administrative law judge, unless a procedural administrative law judge is requested. Other requesting agencies and agencies requesting a procedural administrative law judge should first contact OAH about scheduling a hearing. If notice has already been issued, attach a copy of the notice.)

| | |
|---|------------------------------------|
| Typed or Printed Name and Title of Requesting Person Illona A. Jeffcoat-Sacco, General Counsel | Date 7/10/2018 |
| Signature of Requesting Person X | Telephone Number (701) 328-2407 |