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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: 3293173  
**Date:** Friday, February 01, 2019 8:48:00 AM

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## Filing Accepted

Envelope Number: 3293173  
 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	
<b>Court</b>	Burleigh County - South Central District
<b>Case Number</b>	08-2018-CV-02937
<b>Case Style</b>	Environmental Law and Policy Center, et al. vs. North Dakota Public Service Commission, et al.
<b>Date/Time Submitted</b>	1/31/2019 5:37 PM CST
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<b>Filing Type</b>	Exhibit
<b>Filing Description</b>	CR Exhibit 16 Letter advising of withdrawal of argument timelines
<b>Activity Requested</b>	EFileAndServe
<b>Filed By</b>	John Hamre
<b>Filing Attorney</b>	Illona Jeffcoat-Sacco

Document Details	
<b>Lead Document</b>	CR Exhibit 16 Letter advising of withdrawal of argument timelines.pdf
<b>Lead Document Page Count</b>	2

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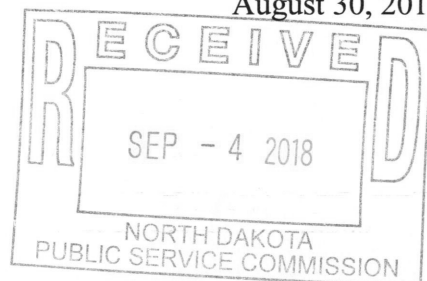
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August 30, 2018

Darrell Nitschke  
Executive Secretary  
North Dakota Public Service Commission  
600 East Boulevard Avenue, Dept. 408  
Bismarck, ND 58505



RE: *Environmental Law & Policy Center and Dakota Resource Council v. Meridian Energy Group, Inc.*, Case No. PU-18-223

Dear Executive Secretary Nitschke,

This letter is to advise the Commission that Complainants Environmental Law & Policy Center and Dakota Resource Council withdraw their argument that Respondent's Motion to Dismiss was untimely, which was made in their Response to Respondent's Motion to Dismiss. We believe Respondent's explanation is well-taken.

Complainants do object to respondent's suggestion that we are somehow contending that the PSC is not bound by its jurisdictional statute or that the PSC is free to take jurisdiction over smaller facilities based only on a fear that the facility might someday be bigger. Those are clearly mischaracterizations of complainants' position.

Thank you for your consideration.

Respectfully submitted,

**BRAATEN LAW FIRM**

/s/ JJ England  
Derrick Braaten (ND 06394)  
JJ England (ND 08135)  
109 North 4th St., Suite 100  
Bismarck, ND 58501-4003  
Tel. 701-221-2911  
Fax 701-221-5842  
derrick@braatenlawfirm.com  
jj@braatenlawfirm.com

*Attorneys for Dakota Resource Council*

**ENVIRONMENTAL LAW & POLICY CENTER**

Scott Strand (*Pro Hac Vice*)  
Senior Attorney  
60 South Sixth Street, Suite 2800  
Minneapolis, MN 55402  
(612) 386-6409  
SSstrand@elpc.org

Rachel Granneman (*Pro Hac Vice*)  
Staff Attorney  
35 East Wacker Drive, Suite 1600  
Chicago, IL 60657  
(312) 795-3535  
RGranneman@elpc.org

*Attorneys for the Environmental Law & Policy Center*

## CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the foregoing document was on the 30th day of August, 2018, served by e-mailing the same to:

Lawrence Bender  
[lbender@fredlaw.com](mailto:lbender@fredlaw.com)

Derrick Braaten  
[derrick@braatenlawfirm.com](mailto:derrick@braatenlawfirm.com)

JJ England  
[jj@braatenlawfirm.com](mailto:jj@braatenlawfirm.com)

Scott Strand  
[sstrand@elpc.org](mailto:sstrand@elpc.org)

and by mailing a copy via USPS First Class Mail to:

Patrick J. Ward  
Administrative Law Judge  
c/o Zuger Kirmis & Smith  
PO Box 1695  
Bismarck, ND 58502-1695

An original and ten copies of the foregoing document were also mail by USPS mail to the North Dakota Public Service Commission on said date.

/s/ Rachel Granneman  
Rachel Granneman