

would not be interference by Otter Tail with Nodak Electric's existing services and/or that such findings were supported by a preponderance of the evidence;

[f] Whether the District Court erred in affirming the Commission's findings that there was not unreasonable duplication of services and/or that such findings were supported by a preponderance of the evidence;

[g] Whether the District Court erred in concluding that the 1968 service area agreement between Nodak Electric and Otter Tail was subject to the provisions of N.D.C.C. § 49-03-06 and further concluding that "the service area agreement was not 'valid and enforceable' by the Commission under 49-03-06(6)." (R117:13: ¶40-42); and

[h] Such other issues as counsel may discover in reviewing the file in preparation of its brief on appeal.

[3] An Order for Transcript[s] has been made in this matter and accompanies this Notice.

Dated this 29th day of April, 2022.



Kimberly J. Radermacher (#05856)
RADERMACHER LAW FIRM, P.C.
Special Counsel for Nodak Electric
P.O. Box 103 – 506 Main St.
Edgeley, ND 58433
Telephone: (701) 883-5125
kimrader@radermacherlaw.com

IN THE SUPREME COURT
STATE OF NORTH DAKOTA

Nodak Electric Cooperative, Inc.,)
Appellant,)
-vs-)
North Dakota Public Service Commission;)
Otter Tail Power Company; and)
City of Drayton,)
Appellees.)

CERTIFICATE OF ELECTRONIC SERVICE

Supreme Court File: _____
District Court File: 08-2021-CV-01508

STATE OF NORTH DAKOTA)
)ss
COUNTY OF LAMOURE)

[1] I, Kimberly J. Radermacher, do hereby certify that on April, 29, 2022, I served the following documents:

- A. NODAK ELECTRIC COOPERATIVE, INC.'S NOTICE OF APPEAL
- B. ORDER FOR TRANSCRIPT

[2] by sending a true and correct copy thereof via email to:

North Dakota Public Service Commission at ndpsc@nd.gov
Brian L. Johnson at brljohnson@nd.gov
Paul Sanderson at psanderson@esattorneys.com
Steven Ekman at Steven@ekman.com and office@stevenekmanlaw.com

[3] To the best of my knowledge, information and belief, such addresses are the actual email/postal addresses of the parties intended to be served. That the above document was duly e-mailed or mailed in accordance with the applicable provisions of North Dakota law.

Dated this 29th day of April, 2022.



Kimberly J. Radermacher (#05856)
Special Counsel for Nodak Electric
P.O. Box 103 – 506 Main St.
Edgeley, ND 58433
Telephone: 701-883-5125
kimrader@radermacherlaw.com