



RE: PU-22-391 / SCS Summit Carbon LLC

From Zachary E. Pelham <zep@pearce-durick.com>

Date Thu 3/7/2024 7:47 AM

To Randall Bakke <rbakke@bgwattorneys.com>

Cc Brad Wiederholt <bwiederholt@bgwattorneys.com>; Schuh, John M. <jschuh@nd.gov>; Sarah Martin <smartin@bgwattorneys.com>

Randy:

If they are withdrawing as a party to the proceeding, they need to file a notice indicating such with the Commission. If they don't, they will continue to be a party to the action. Please file an appropriate pleading indicating your clients are withdrawing as intervenors to the matter.

Thanks

Zack

Zachary Pelham | Attorney

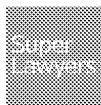
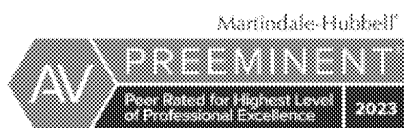
Pearce Durick PLLC

314 E. Thayer Avenue

Bismarck, ND 58502

Main 701.223.2890 | Fax 701.223.7865

www.pearce-durick.com



Note: This e-mail contains information from the law firm of Pearce Durick PLLC that may be proprietary, confidential, or privileged. If you are not the intended recipient and have received this email in error, please delete it and contact me.

From: Randall Bakke <rbakke@bgwattorneys.com>

Sent: Wednesday, March 6, 2024 1:48 PM

To: Zachary E. Pelham <zep@pearce-durick.com>

Cc: Brad Wiederholt <bwiederholt@bgwattorneys.com>; Schuh, John M. <jschuh@nd.gov>; Sarah Martin <smartin@bgwattorneys.com>

Subject: Re: PU-22-391 / SCS Summit Carbon LLC

Zach,

918 PU-22-391 Filed 03/23/2025 Pages: 4

APPEAL - Hearing Exhibit 1 - Email String Between Zach Pelham and Randall Bakke
Burleigh County Board of Commissioners
Randall J. Bakke, Attorney

Thanks for your request for clarification on our Notice of Withdrawal on behalf of the Bismarck Intervenors. Please be advised that the Bismarck Intervenors (Warford, Wachter and

Moldenhauer) are withdrawing as intervenors as well. Therefore, no notice will need to be provided to them directly.

If you feel anything further needs to be filed with the PSC in this regard, kindly please let me know.

Randall J. Bakke

Certified Civil Trial Specialist – National Board of Trial Advocacy

Fellow-Litigation Counsel of America

Board Certified Civil Practice Advocacy



300 West Century Avenue

PO Box 4247

Bismarck, ND 58502-4247

Phone: (701) 751-8188

Fax: (701) 751-7172

rbakke@bgwattorneys.com

*** CONFIDENTIALITY NOTE ***

This e-mail, including attachments, is covered by the Electronic Communications Privacy Act, 18 U.S.C. 2510 et seq., is confidential, and/or is legally privileged. It is intended for use only by the person to whom it is directed. If you are not the intended recipient and/or received it in error, you should (1) reply by e-mail to the sender; (2) delete this e-mail, including deletion of all associated text files from all storage locations including individual and network storage devices; and (3) refrain from disseminating or copying this communication. Thank you.

From: Zachary E. Pelham <zep@pearce-durick.com>

Sent: Monday, March 4, 2024 4:01 PM

To: Randall Bakke <rbakke@bgwattorneys.com>

Cc: Brad Wiederholt <bwiederholt@bgwattorneys.com>; Schuh, John M. <jschuh@nd.gov>

Subject: RE: PU-22-391 / SCS Summit Carbon LLC

Thanks Randy.

Were the intervenors you represented going to continue on in the case as intervenors or will they be seeking to withdraw as intervenors as well? They technically will remain intervenors if nothing is done and we'll have to give them notice of everything directly. If the intent is that they will not have any further involvement in the case, it would be nice to get a formal withdrawal as intervenors as well.

Zack

Zachary Pelham | Attorney

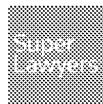
Pearce Durick PLLC

314 E. Thayer Avenue

Bismarck, ND 58502

Main 701.223.2890 | **Fax** 701.223.7865

www.pearce-durick.com



Note: This e-mail contains information from the law firm of Pearce Durick PLLC that may be proprietary, confidential, or privileged. If you are not the intended recipient and have received this email in error, please delete it and contact me.

From: Sarah Martin <smartin@bgwattorneys.com>

Sent: Monday, March 4, 2024 2:51 PM

To: ndpsc@nd.gov; hlhogan@nd.gov; jschuh@nd.gov; lbender@fredlaw.com; Steve@Bismarck-attorneys.com; Blorde@dominalaw.com; jghamre@nd.gov; Zachary E. Pelham <zep@pearce-durick.com>; david@bismarck-attorneys.com; kpranis@liunagroc.com; bleonard@fredlaw.com; bdublinkske@fredlaw.com; jcurry@babstcalland.com; derrick@braatenlawfirm.com; bc08@nd.gov; pat.zomer@lawmoss.com

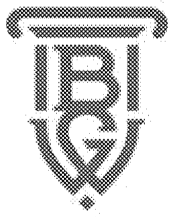
Cc: Randall Bakke <rbakke@bgwattorneys.com>; Lori Steckler <lsteckler@bgwattorneys.com>

Subject: PU-22-391 / SCS Summit Carbon LLC

Attached please find the following documents filed via U.S. Mail today with the PSC:

1. *Filing Letter to Steve Kahl from Randall Bakke dated March 4, 2024;*
2. *Notice of Withdrawal of Counsel; and*
3. *Certificate of Service.*

Sarah Martin
Legal Assistant



**Bakke
Grinolds
Wiederholt**
ATTORNEYS AT LAW

300 West Century Ave.
P.O. Box 4247
Bismarck, North Dakota 58502-4247
Phone: 701-751-8188
Fax: 701-751-7172
Website: www.bgwattorneys.com
smartin@bgwattorneys.com

CONFIDENTIALITY NOTE

This email, including attachments is covered by the Electronic Communications Privacy Act, 18 U.S.C. 2510 et seq., is confidential, and/or is legally privileged. It is intended for use only by the person to whom it is directed. If you are not the intended recipient and/or received it in error, you should (1) reply by email to the sender; (2) delete this email, including deletion of all associated text files from all storage locations including individual and network storage devices; and (3) refrain from disseminating or copying this communication. Thank you.