

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF BURLEIGH

SOUTH CENTRAL JUDICIAL DISTRICT

APH Farms, et al,

Case No. 08-2024-CV-03622

Appellants,

vs.

North Dakota Public Service Commission, et al,

Appellees.

And

Burleigh County,

Case No. 08-2024-CV-03614

Appellant,

vs.

North Dakota Public Service Commission and
SCS Carbon Transport LLC,

Appellees.

Motion to Consolidate

[¶1] North Dakota Public Service Commission moves the Court pursuant to N.D. R. Civ. P. 42(a) for consolidation of these two administrative appeals, which involve common issues of fact and law.

[¶2] The facts and applicable law pertinent to the two appeals are a mirror image. The parties dispute the effect of the law to the facts and there are disputes concerning the facts—but they all come from the same administrative case. Judicial economy will be served by consolidating the two administrative appeals, and doing so will conserve the parties’ resources.

[¶3] This motion is supported by the accompanying brief and all other pleadings and records on file in the two proceedings.

[¶4] WHEREFORE, the North Dakota Public Service Commission requests that the Court grant this motion.

Dated this 24th day of June, 2025.

/s/ Zachary E. Pelham
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