

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.

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**Order to Consolidate**

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[¶1] The Court, having received and reviewed the Motion to Consolidate, and upon consideration of the Motion, hereby GRANTS the Motion and ORDERS that 1) the administrative appeal identified as *APH Farms, et al. vs. North Dakota Public Service Commission, et al.* (Case

No. 08-2024-CV-03622) and the administrative appeal identified as *Burleigh County vs. North Dakota Public Service Commission and SCS Carbon Transport LLC* (Case No. 08-2024-CV-03614) be consolidated, 2) that Case No. 08-2024-CV-03622, *APH Farms, et al. vs. North Dakota Public Service Commission, et al.*, shall be the case number upon which this consolidated appeal will proceed under, 3) that the certified record for both appeals need only be filed once by the Public Service Commission in Case No. 08-2024-CV-03622, and 4) that the Public Service Commission is allowed an extension of time to certify the record until November 21, 2025.

Dated:

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Judge of the District Court