

STATE OF NORTH DAKOTA

DISTRICT COURT

COUNTY OF BURLEIGH

SOUTH CENTRAL JUDICIAL DISTRICT

Wano Township, Willowbank
Township, Russell Township, Corwin
Township, Valley Township, Mike
Bartel, Patty Bartel, Richard Long,
Susan R. Long, Steven Nelson, Julia
Nelson, Phyllis P. Otterness, Patricia
A. Vick, Brandon Schweigert, Tausha
Schweigert, Shockman Farm
Partnership, LLLP, Debra Sue Wald,
Lucas Wald, Jill Wald, Tim Leppert,
Orr Farms, Steve M. Rupp, Sandra J.
Rupp, David A. Schweigert, Denette
M. Schweigert, Allen D. Swiontek,
Inna N. Swiontek, David Wald, Holly
Wald, Weston Wald, and Willowbank
Hutterian Brethren Association,

Case No. 08-2025-CV-02068

Appellants,

v.

North Dakota Public Service
Commission, Otter Tail Power
Company, and Montana-Dakota
Utilities Co.,

Appellees.

**MOTION TO STAY PUBLIC SERVICE COMMISSION PROCEEDINGS
UNDER N.D.C.C. CH. 49-22**

TO: The North Dakota Public Service Commission, North Dakota Attorney General Drew Wrigley, Otter Tail Power Company, Montana Dakota Utilities Co., and their respective counsel of record:

PLEASE TAKE NOTICE that Appellants, by and through counsel, hereby move the Court for an Order staying further proceedings by the North Dakota Public Service Commission under N.D.C.C. ch. 49-22 relating to the 345kV transmission line project between Jamestown and Ellendale, pending resolution of this appeal challenging the Public Service Commission's statutory authority to issue a Certificate of Public Convenience and Necessity under N.D.C.C. ch. 49-03 for a high-voltage transmission line governed by N.D.C.C. ch. 49-22.

Pursuant to N.D.R.Ct. 3.2(a)(3), Appellants respectfully request oral argument on this motion and are available to appear by Zoom at the Court's convenience.

This motion is supported by the accompanying memorandum of law, the record in this case, and such additional argument or evidence as may be presented at hearing.

Dated: August 6, 2025

Respectfully submitted,

By: /s/ Douglas J. Nill

Douglas J. Nill (ND # P00392)

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Counsel for the Appellants