

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.

SECOND DECLARATION OF DOUGLAS J. NILL

I, Douglas J. Nill, declare as follows:

1. I am counsel for Appellants in the above-captioned matter. I submit this declaration in further support of Appellants' Reply Brief filed concurrently herewith.

2. On August 14, 2025, I sent an email to Brian Johnson, Special Assistant Attorney General for the North Dakota Public Service Commission, regarding the "Notice to Appellants of Estimated Costs" dated August 13, 2025. A true and correct copy of my email is attached as Exhibit 2.

3. On that same date, Mr. Johnson responded by email, confirming that the estimated cost was for transcription services and that payment should be made to the North Dakota Public Service Commission. A true and correct copy of his response is attached as Exhibit 3.

4. On August 19, 2025, I transmitted by email a letter enclosing a check in the amount of \$1,200.00, payable to the North Dakota Public Service Commission, for the estimated transcription costs, and mailed the check that same day. A true and correct copy of my cover letter is attached as Exhibit 4.

5. The purpose of this declaration is to confirm that Appellants complied with the Notice of Estimated Costs by remitting payment within six days of its issuance and within the 14-day period permitted under the applicable rules.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: August 27, 2025

By: /s/ Douglas J. Nill
Douglas J. Nill (ND # P00392)
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