

STATE OF NORTH DAKOTA

DISTRICT COURT

COUNTY OF BURLEIGH

SOUTH CENTRAL JUDICIAL DISTRICT

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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.

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**[AMENDED PROPOSED] ORDER GRANTING MOTION TO STAY  
(NO NEW RELIEF REQUESTED)**

The Court, having considered Appellants' Motion to Stay, the record, and the Third Declaration of Douglas J. Nill with Exhibits regarding the September 16, 2025 Notification of Application in PSC Docket PU-25-236, ORDERS:

1. **Stay.** PSC Docket PU-25-236 (Certificate of Corridor Compatibility and Route Permit for the 345-kV JETx line) is stayed in full, including all deadlines and any hearing, and any hearing previously set is vacated, pending entry of judgment in this appeal.

2. **Alternative Relief (if full stay is not granted).** Pending decision on the merits in this appeal:

- a. The PSC and Applicants shall not cite to or rely upon the November 20, 2024 CPCN in PU-25-236 or in communications with landowners as evidence of "need"; and
- b. All PSC-set deadlines in PU-25-236, including any hearing date, are held in abeyance.

3. **Clarification.** Nothing in this Order prevents political subdivisions from filing, or the PSC from receiving, the listings described in N.D.C.C. § 49-22-16(2)(d). This Order is intended to preserve the status quo and prevent entrenchment of reliance on a contested CPCN pending this Court's decision. This paragraph applies regardless of whether Paragraph 1

or Paragraph 2 is operative.

Dated: \_\_\_\_\_

BY THE COURT:

\_\_\_\_\_  
The Honorable Bobbi Weiler  
Judge of the District Court