

IN THE SUPREME COURT
STATE OF NORTH DAKOTA

ORDER

Supreme Court No. 20260059
Burleigh County No. 08-2025-CV-02068

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

Appellants

v.

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

Appellees

[¶1] On February 20, 2026, Otter Tail Power Company and Montana-Dakota Utilities, Co. filed a motion to dismiss this appeal. On February 23, 2026, the Appellants filed a response to the motion. On February 24, 2026, the North Dakota Public Service Commission filed a response to the motion. On March 2, 2026, the Appellants filed a motion requesting to file a reply brief to the motion to address the response by the North Dakota Public Service Commission and a motion for a limited remand for the district court to enter a consistent judgment. The Court considered the matter, and

[¶2] ORDERED, the motion to dismiss is DENIED.

[¶3] IT IS FURHTER ORDERED, the motion for a limited remand is DENIED. Remand is unnecessary for the district court to enter a consistent judgment.

[¶4] IT IS FURHTER ORDERED, the motion to file a reply brief to the motion to dismiss is DENIED.

[¶5] IT IS FURHTER ORDERED, the parties are directed to ensure a consistent judgment is promptly entered in the district court.

[¶6] The Supreme Court of the State of North Dakota convened with the Honorable Lisa Fair McEvers, Chief Justice, and the Honorable Jerod E. Tufte, the Honorable Jon J. Jensen, and the Honorable Douglas A. Bahr, Justices, directing the Clerk of the Supreme Court to enter the above order. The Honorable Daniel J. Crothers, retired effective February 28, 2026, and did not participate in this decision.

[¶7] Dated: 3/5/2026

Petra H. Mandigo Hulm
Clerk
North Dakota Supreme Court