

**IN THE SUPREME COURT
STATE OF NORTH DAKOTA**

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 JULL
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,

-vs-

NORTH DAKOTA PUBLIC SERVICE COMMISSION,
OTTER TAIL POWER COMPANY, AND
MONTANA-DAKOTA UTILITIES, CO.,

Appellees.

Supreme Ct. 20260059

District Ct. 08-2025-CV-0268
South Central Judicial District

**NORTH DAKOTA PUBLIC SERVICE COMMISSION'S RESPONSE TO
APPELLANTS' MOTION FOR IN-PERSON ORAL ARGUMENT**

[¶1] The North Dakota Public Service Commission ("Commission") has no objection to Appellants' motion to hold in-person oral argument so long as it takes place in June. The Court typically does not hold oral argument in July or August. Given that, delaying oral argument until September will cause a final disposition on this matter to be delayed by at least two months. The Commission respectfully requests that the existing REM oral argument set for June 23, 2026, go forward unless another date in June, which takes into account the previously provided conflict dates of the parties, can be set by the Court. Given the option between a two-month delay in oral argument being held, or

holding oral argument by REM in June, the Commission believes efficiency is best served by keeping the existing schedule if in-person oral argument cannot be scheduled for June.

Dated: May 27, 2026

/s/ Zachary E. Pelham
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