

**NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

**Coyote Creek Mining Company, L.L.C.**  
**Revision 13, Permit NACC-1302**  
**Renewal 2, Permit NACC-1302**  
**Applications**

**Case No. RC-24-244**  
**Case No. RC-24-245**

**OAH File No. 20240452**

**MEMORANDUM IN SUPPORT OF MOTION TO CONTINUE FORMAL HEARING**

**December 10, 2024**

Casey and Julie Voigt, (“the Voigts”) by and through the undersigned counsel, submit this memorandum in support of their Motion to Continue Formal Hearing. This matter is currently scheduled for a formal hearing before the Public Service Commission on Friday, December 13, 2024.

The Voigts were informed on December 4, 2024 via email from John M. Schuh, Special Assistant Attorney General for the Public Service Commission that “Due to scheduling conflicts, the December 13, 2024 Formal Hearing will only have Chair Christmann sitting for the proceeding. The remaining commissioner/commissioners will review the available record after the close of hearing.” *See* Exhibit A, attached to the Declaration of Derrick Braaten.

Pursuant to N.D.C.C. § 49-01-07, a majority of commissioners is necessary for a quorum. The formal hearing will not have a quorum due to only Chair Christmann attending the hearing. The Voigts request that the Public Service Commission continue the formal hearing for a time that all or a majority of the commissioners can be present.

**BRAATEN LAW FIRM**

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