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George J. Danforth
(1875-1952)
George J. Danforth, Jr.
(1909-1991)

October 6, 2004

South Public Utilities Commission
Capitol Building
1st Floor
500 E. Capitol Ave.
Pierre, SD 57501

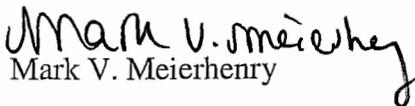
RECEIVED
OCT 08 2004
SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION
FAX Received OCT 06 2004

Re: Superior Renewable Energy LLC v. Montana Dakota Utilities Co.

Dear Public Utilities Commission:

Enclosed please find the original and ten copies of Superior Renewable Energy, LLC's Motion to Compel. By copy of this letter service is made on the service list.

Sincerely yours,


Mark V. Meierhenry

MM/ti

C: Bradford Moody
Linda Walsh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

RECEIVED
OCT 08 2004
SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

)
IN THE MATTER OF THE COMPLAINT FILED)
)
BY SUPERIOR RENEWABLE ENERGY LLC)
)
ET AL. AGAINST MONTANA DAKOTA)
)
UTILITIES CO. REGARDING THE JAVA)
)
WIND PROJECT)
_____)

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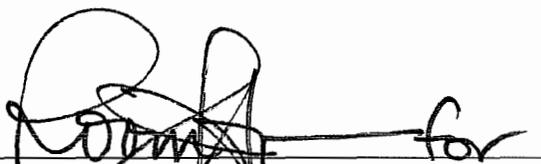
) Docket No. EL04-016

Motion to Compel

On September 30, 2004, Superior Renewable Energy LLC and its wholly owned subsidiary Java LLC (collectively, the "Complainants") moved for an order from the Public Utilities Commission (the "Commission") to compel Respondent Montana-Dakota Utilities Co. ("Montana-Dakota") to respond to certain interrogatories served upon Montana-Dakota by the Complainants on or about July 16, 2004. Those interrogatories are Nos. 23 c-h and 28 c.

The Complainant respectfully requests that, pursuant to Section 20:10:01:22.01 of the South Dakota Public Utilities Commission Administrative Rules, Montana-Dakota be compelled to respond to Complainants' Interrogatories Nos. 23 c-h and 28 c within five (5) business days of the date of the Commission's Order.

Dated this 6th day of October, 2004.



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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

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OCT 08 2004

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

IN THE MATTER OF THE COMPLAINT FILED)
BY SUPERIOR RENEWABLE ENERGY LLC)
ET AL. AGAINST MONTANA DAKOTA) Docket No. EL04-016
UTILITIES CO. REGARDING THE JAVA)
WIND PROJECT)
_____)

FAX Received OCT 06 2004

Order on Motion to Compel

The Public Utilities Commission has found that the Motion to Compel filed by Superior Renewable Energy and its wholly owned subsidiary Java LLC (collectively the "Complainants") have demonstrated good cause for their Motion and that the Motion to Compel should be Granted.

ORDERED, that pursuant to Section 20:10:01:22.01 of the South Dakota Public Utilities Commission Administrative Rules, Montana-Dakota is hereby compelled to respond to Complainants' Interrogatories Nos. 23 c-h and 28 c within five (5) business days after issuance of this Order.

Dated at Pierre, South Dakota his ____ day of October, 2004.

BY ORDER OF THE COMMISSION

ROBERK K. SAHR, Chairman

GARY HANSON, Commissioner

JAMES A. BURG, Commissioner

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OCT 08 2004

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

IN THE MATTER OF THE COMPLAINT FILED)
BY SUPERIOR RENEWABLE ENERGY LLC)
ET AL. AGAINST MONTANA DAKOTA)
UTILITIES CO. REGARDING THE JAVA)
WIND PROJECT)
_____)

FAX Received OCT 06 2004

) Docket No. EL04-016

CERTIFICATE OF SERVICE

This is to certify that on October 6, 2004 a copy Superior Renewable Energy LLC's
Proposed Schedule was forwarded to the following by United States mail, in accordance with
South Dakota Codified Law:

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QyLW

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