

STATE OF SOUTH DAKOTA     )  
  :SS  
COUNTY OF HUGHES         )

IN CIRCUIT COURT  
  
SIXTH JUDICIAL CIRCUIT

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IN THE MATTER OF COMMISSION  
STAFF'S PETITION FOR  
DECLARATORY RULING  
REGARDING FARM TAP  
CUSTOMERS  
(NG 16-014)

32Civ. 17-83

NOTICE OF ENTRY OF ORDER FOR  
CONSOLIDATION AND BRIEFING  
SCHEDULE

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Notice is hereby given that the Order for Consolidation and Briefing Schedule, a copy of which is attached hereto, was signed by the Court and filed in the offices of the Clerk of Courts on April 28, 2017.

Dated this 2<sup>nd</sup> day of May, 2017.

  /s/     Jason R. Sutton

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**CERTIFICATE OF SERVICE**

I, Jason R. Sutton, do hereby certify that I am a member of the law firm of Boyce Law Firm, LLP, attorneys for Northern Natural Gas Company and that on the 2<sup>nd</sup> day of May, 2017 a true and correct copy of the foregoing was filed and served via Odyssey File and Serve:

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and via first-class mail to the following addresses listed:

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*/s/ Jason R. Sutton*  
Jason R. Sutton

STATE OF SOUTH DAKOTA )  
  :SS  
COUNTY OF HUGHES         )

IN CIRCUIT COURT  
SIXTH JUDICIAL CIRCUIT

---

In the Matter of  
Commission Staff's Petition  
for Declaratory Ruling  
Regarding Farm Tap Customers  
(NG 16-014)

32-CIV-17-71  
32-CIV-17-83

**Stipulation and Order for  
Consolidation and Briefing  
Schedule**

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WHEREAS, Northern Natural Gas Co. (Northern) has filed an administrative appeal from the South Dakota Public Utilities Commission, bearing case number 32-CIV-17-71; and

WHEREAS, NorthWestern Corporation, d/b/a NorthWestern Energy (NorthWestern) has filed a cross appeal bearing case number 32-CIV-17-83; and

WHEREAS, in the interests of economic efficiency and judicial economy, the parties wish to consolidate their two appeals, and to establish an appropriate briefing schedule; and

WHEREAS, counsel for the parties have conferred and agreed to the entry of the following Order;

NOW THEREFORE, the parties hereby stipulate and agree as follows:

1. That the two pending administrative appeals in Cases 32CIV17-71 and 32CIV17-83 will be consolidated into one action;
2. The parties will abide by the following briefing schedule:
  - a. May 2, 2017: Northern will serve its opening brief on the issues in 32-CIV 17-71;
  - b. June 2, 2017: NorthWestern will serve its opening brief on issues in 32-CIV 17-83, and to include its response to Northern's opening brief on the issues in 32 CIV 17-71;

- c. July 3, 2017: All other parties other than Northern and NorthWestern will serve any response to the opening briefs of Northern and Northwestern on the issues in both 32 CIV 17-71 and 32 CIV 17-83;
- d. July 19, 2017: Northern will serve its response brief in response to NorthWestern's opening brief on issues in 32-CIV 17-83, and Northern will serve its reply brief, if any, on the issues in 32-CIV 17-71; and
- e. August 2, 2017: NorthWestern will serve its reply brief, if any, on the issues in 32 CIV 17-83.

3. The Court will hear oral arguments on September 18, 2017 at the Hughes County Courthouse, Pierre, South Dakota, at 1:00 p.m., or as soon thereafter as counsel may be heard.

Dated this 24<sup>th</sup> day of April, 2017.



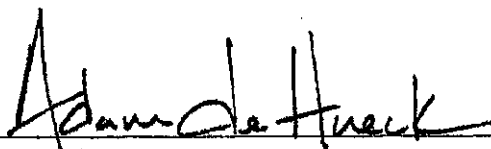
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Dated this 24<sup>th</sup> day of April, 2017.



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Dated this 24<sup>th</sup> day of April, 2017.



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Dated this 24 day of April, 2017.



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**ORDER**

Based on the foregoing stipulation of the parties, and for good cause appearing, it is ORDERED, that the above stipulation of the parties is approved and incorporated herein by reference.

Dated this \_\_\_\_ day of April, 2017.

BY THE COURT:

Signed: 4/28/2017 8:33:34 AM

  
Mark W. Barnett  
Circuit Court Judge

ATTEST:  
KELLI SITZMAN  
Clerk of Courts

By TaraJo Deuter-Cross  
Deputy Clerk of Courts

