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RECEIVED  
JAN 26 1995  
SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

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Minnesota

January 25, 1995

BOOKED  
FILED  
EL 94-015

Ms. Susan Anderson  
Northwestern Public Service Company  
P.O. Box 1318  
Huron, SD 57350-1318

Ms. Karen Cremer  
Public Utilities Commission  
500 East Capitol  
Pierre, SD 57501

Re: In the Matter of the Petition for Declaratory Ruling of  
Northwestern Public Service Company with Regard to Electric  
Service to Hub City, Inc.

Dear Susan and Karen:

Enclosed please find a proposed Order staying the Order of  
the Public Utilities Commission. If the Order meets with your  
approval, at least as to form, please advise. If you have any  
recommended or suggested changes before I send the order on to  
Judge Gilbertson, please also advise me of your suggestions.

I am merely requesting that you approve the order as to  
form. If you find the order acceptable, I can forward it on to  
Judge Gilbertson and you may then make your formal legal  
objections.

Sincerely,

*Harvey A. Oliver*  
HARVEY A. OLIVER

HAO:cs

Enclosure

STATE OF SOUTH DAKOTA

IN CIRCUIT COURT

COUNTY OF BROWN

FIFTH JUDICIAL CIRCUIT

\* \* \* \* \*

IN THE MATTER OF THE PETITION  
FOR DECLARATORY RULING OF  
NORTHWESTERN PUBLIC SERVICE  
COMPANY WITH REGARD TO ELECTRIC  
SERVICE TO HUB CITY, INC.

\* Civ. 95-\_\_\_\_\_  
\* **ORDER FOR STAY**  
\*

\* \* \* \* \*

This matter having regularly come on for hearing this 23rd day of January, 1995, pursuant to a Motion filed by Northern Electric Cooperative requesting a stay of the order of the Public Utilities Commission entered on the 3rd day of January, 1995, in the above-referenced matter; with Northern Electric Cooperative appearing by and through its attorney, Harvey Oliver; Northwestern Public Service Company appearing by and through its attorney, Susan Anderson; and the Public Utilities Commission appearing by and through its attorney, Karen Cremer (via telephone); and the court having considered the arguments of counsel and having further considered the stipulated facts of the parties as entered in the Public Utilities Commission proceedings together with all of the other documents, records and exhibits on file herein and good cause appearing, it is hereby

**ORDERED** that the decision and order of the Public Utilities Commission entered in the above-captioned matter on the 3rd day of January, 1995, is stayed pending the court's final decision in the appeal of this matter; and, it is further

**ORDERED** that such stay shall be conditioned upon the filing of an undertaking pursuant to SDCL 1-26-32 which the court notes has already been filed by Northern Electric Cooperative and which the court finds acceptable in form and substance.

Dated this \_\_\_\_ day of January, 1995.

BY THE COURT:

\_\_\_\_\_  
Circuit Court Judge

ATTEST:

\_\_\_\_\_  
M. L. Kuhfeld  
Clerk of Courts

By \_\_\_\_\_  
Deputy