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DOCKET NO. \_\_\_\_\_

In the Matter of **IN THE MATTER OF THE FILING BY  
SUPERIOR RENEWABLE ENERGY LLC  
ET AL. AGAINST MONTANA-DAKOTA  
UTILITIES CO. REGARDING THE JAVA  
WIND PROJECT**



**Public Utilities Commission of the State of South Dakota**

DATE	MEMORANDA
5/12 04	Filed and Docketed;
5/13 04	Weekly Filing;
5/27 04	Petition to Intervene (MDU);
6/11 04	Order Granting Intervention;
6/15 04	Petition to Intervene out of time of third American;
6/17 04	Petition to Intervene of Northwestern Corporation;
6/18 04	Petition to Intervene of Black Hills Power, Inc.
6/30 04	Order Granting Intervention;
7/16 04	Petition to Intervene by Northern States Power & Coal Energy;
8/24 04	Request for Scheduling Order;
8/26 04	Order Granting Intervention;
9/1 04	Superior's Motion for Notice and Order from the PUC of the state of SD;
9/29 04	Montana-Dakota's Scheduling Proposal;
10/14 04	Montana-Dakota's Answer;
10/16 04	Superior's Confidentiality Agreement;
10/16 04	Motion to Compel;
10/16 04	Order on Motion to Compel;
10/16 04	Certificate of Service;
10/11 04	MDU's Objections to Proposed Filing Fee Assessment;
10/26 04	Notice of Investigation under SDCL 49-34A-26; Order for and Notice of Scheduling <sup>Schedule and Hearing</sup>
10/27 04	Order Granting Motion to Compel;
11/9 04	Superior and Java's Motion to Compel;
11/15 04	Superior and Java's Motion to Clarify <sup>Discovery cut off date</sup> and for responses to Superior's Discovery <sup>discovery</sup>

11/15/04	Time for Responses to Superior Discovery Requests and Motion to Extend the Discovery Cut off Date; Memorandum of Points and Authorities in Support of Superior and Jura's Motion to Compel, Motion to Sustain
11/17/04	MDU's Response to Motion to Compel;
11/24/04	Order Granting Motion to Compel and Protective Order;
12/1/04	Amended Order for and Notice of Procedural Schedule and Hearing;
12/29/04	Contract between Synapse Energy Economics, Inc. and SPPUC;
1/5/05	Second Amended Order for and Notice of Procedural Schedule and Hearing;
1/7/05	Direct Testimony of John E. Calaway on behalf of Superior and Jura LLC;
1/7/05	Testimony of Jeff Ferguson on behalf of Superior;
1/7/05	Testimony of Kenneth J. Slater on behalf of Superior;
1/11/05	Superior's Brief in Opposition to Assessment of Costs under SDCR 49-1A-11;
1/20/05	Supplemental Testimony of Kenneth J. Slater on behalf of Superior;
2/1/05	Testimony of Donald R. Paul, Andrew S. Stomberg and Edward D. Kee;
2/1/05	Testimony of Mark Brant on behalf of NorthWestern;
2/15/05	Supplemental Testimony of Edward D. Kee;
2/18/05	Direct Testimony of Timothy Kooff;
3/2/05	Revised Pages 1 and 6 of Edward Kee's Exhibit EDK-3 to his Direct Testimony;
3/14/05	Rebuttal Testimony of Edward D. Kee;
3/15/05	Rebuttal Testimony of John E. Calaway;
3/15/05	Rebuttal Testimony of Kenneth J. Slater;
3/15/05	Rebuttal Testimony of Jeff Ferguson;
3/18/05	Confidentiality Agreement signed by NorthWestern Energy;
3/18/05	Confidentiality Agreement signed by JCE Energy;
3/21/05	Order Continuing Hearings;
3/23/05	Affidavit of James Thompson for Admission Pro Hac Vice;
3/23/05	Notarial Admission of James Thompson to Practice Pro Hac Vice;
3/23/05	Order Admitting James Thompson to Practice Pro Hac Vice;
3/23/05	Certificate of Service;
3/23/05	Affidavit of Michael Daddal for Admission Pro Hac Vice;
3/23/05	Motion for Admission of Michael Daddal to Practice Pro Hac Vice;
3/23/05	Order Admitting Michael Daddal to Practice Pro Hac Vice;
3/23/05	Certificate of Service;
3/23/05	Affidavit of Th Bradford Moody for Admission Pro Hac Vice;
3/23/05	Motion for Admission of Th Bradford Moody to Practice Pro Hac Vice;
3/23/05	Order Admitting Th Bradford Moody to Practice Pro Hac Vice;
3/23/05	Certificate of Service;
4/1/05	Order Admitting Attorney to Practice Pro Hac Vice (Daniel S. Kentz);
5/26/05	Order for and Notice of Scheduled Hearing Following Continuance;
7/21/05	Motion for Continuance;
8/2/05	Order Granting Motion for Continuance;
8/18/05	Second Order for and Notice of Scheduled Hearing Following Continuance;
9/16/05	Montana - Dakota's <del>Partial</del> Defense Motion;
9/27/05	Superior's Response to Natural Motion and Superior's Request for Affirmative Relief;
9/29/05	Superior's Motion to Judge Decision;
10/3/05	Affidavit of Jeff Ferguson on behalf of Superior;
10/3/05	Commissioner's Brief Response to MDU's Deferral Motion;
10/3/05	MDU's Reply to Superior's Comments on the Deferral Motion and Request for Affirmative Relief;
10/3/05	Transcript of Hearing held 9/22/05;
10/5/05	Order Denying Motion for Continuance;
10/7/05	Superior's Motion for Reconsideration;
10/12/05	MDU's Reply to Superior's Motion for Reconsideration;
10/14/05	Superior's Supplemental Memorandum in Support of Motion for Reconsideration;
10/21/05	MDU's Response to Motion for Reconsideration;
10/21/05	MDU's Reply to Superior's Supplemental Memorandum Supporting Motion for Reconsideration;
10/27/05	MDU's Supplemental Reply to Superior's Supplemental Memo Supporting Motion for Reconsideration; (Other)

1/4/05 Order granting motion for reconsideration, scheduling hearing date, <sup>Denying requests for affirmative relief</sup> scheduling hearing date, scheduling pre-hearing conference and  
 1/16/05 Supplemental testimony of Jeff Ferguson on behalf of Superior;  
 1/16/05 Further supplemental testimony of Kenneth G. Slater on behalf of Superior;  
 1/17/05 Supplemental Direct Testimony of Arthur L. Stomberg;  
 1/17/05 Supplemental testimony of Elizabeth D. Kee;  
 1/22/05 motion to dismiss and withdraw issues motion in Limine and motion for summary judgment;  
 2/12/05 Order cancelling hearing;  
 2/19/05 Joint motion;  
 2/19/05 Settlement Agreement to resolve complaint and terminate racket;  
 1/5/06 Order approving settlement agreement and dismissing and closing racket;  
 1/5/06 Racket closed.