

STATE OF MINNESOTA

OFFICE OF  
APPELLATE COURTS

IN SUPREME COURT

OCT 26 2005

A04-2033

**FILED**

In the Matter of the Cities of Annandale and  
Maple Lake NPDES/SDS Permit Issuance  
for the Discharge of Treated Wastewater,  
and Request for Contested Case Hearing.

O R D E R

Based upon all the files, records and proceedings herein,

IT IS HEREBY ORDERED that the petitions of the Minnesota Pollution Control Agency and the Cities of Annandale and Maple Lake for further review of the decision of the Court of Appeals be, and the same are, granted. The petitioners shall proceed as the appellants and briefs shall be served and filed in the quantity, form and within the time limitations contained in Minn. R. Civ. App. P. 131 and 132. Counsel will be notified at a later date of the time for argument before this court.

IT IS FURTHER ORDERED that the motions of the Metropolitan Council, the ~~League of Minnesota Cities, the Builders Association of the Twin Cities, the Minnesota~~ Environmental Science and Economic Review Board, the Coalition of Greater Minnesota Cities, and the National Association of Clean Water Agencies to serve and file briefs as amicus curiae in the above-entitled matter in support of petitioners be, and the same are, granted. Said briefs shall be served in accordance with Minn. R. Civ. App. P. 129 and 132.

All amici in this appeal are reminded that the principle espoused in Rule 37(1) of the Rules of the Supreme Court of the United States is applicable in this court as well:

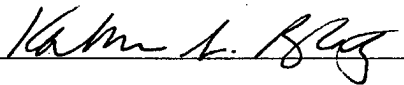
An *amicus curiae* brief that brings to the attention of the Court relevant matter not already brought to its attention by the parties [or other amici] may be of considerable help to the Court. An *amicus curiae* brief that does not serve this purpose burdens the Court, and its filing is not favored.

Amici are therefore encouraged to coordinate their efforts to avoid redundant briefing.

Amicus will not be permitted to participate in oral argument.

Dated: October 26, 2005

BY THE COURT:



---

Kathleen A. Blatz  
Chief Justice

---