

May 21, 2003

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on May 21, 2003, 10:00 a.m. Present were Commissioners Wefald, Reinbold, and Clark.

Minutes

Mr. Reinbold: I move the minutes of May 7, 2003, be approved.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Bills

Mr. Reinbold: I move the following bills, as reviewed by the Commission, be approved and paid:

WorkLife	90.00
Snavely King Majoros O'Connor & Lee, Inc.	12,631.18
ND Agricultural Statistics Service	8.00
ND Newspaper Association	998.63
Fireside Office Plus	648.00
Ben Johnson Associates, Inc.	33,765.00
Bruce E. Beechie	12.00
Anthony T. Clark	483.62
Susan E. Wefald	109.68
Logicom Systems, Inc.	7,807.86
Berger Electric, Inc.	369.53
Northland Travel	228.00
Elan	8,145.80
Central Services – printing	267.66
Attorney General – rules review	261.69
Central Services – supplies	1,913.69
Information Technology Dept.	1,977.56
Department of Transportation	10,353.61

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-1913-03-243
HJN Telecom, Inc.
Name Change
Application

Mr. Reinbold: I move the Commission reissue Certificate of Registration Nos. 552 and 584 to Reliant Communications, Inc., Case No. PU-1913-03-243.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2875-03-265
Covista, Inc.
Local Exchange Reseller
Application

Mr. Reinbold: I move the Commission issue a Certificate of Registration to Covista, Inc. to resell local exchange telecommunications services in North Dakota, Case No. PU-2875-03-265.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-399-03-191
Montana-Dakota Utilities Co., a
Division of MDU Resources Group, Inc
Jeremy Zenter, Mott, ND
Public Convenience & Necessity

Mr. Reinbold: I move the Commission adopt the Order and issue a Certificate of Public Convenience and Necessity authorizing Montana-Dakota Utilities Co. to extend electric service to Jeremy Zentner for a shop site near Mott, North Dakota, Case No. PU-399-03-191.

Mr. Clark: I second the motion.
Roll Call: All voting "Aye."

Case No. PU-2805-03-199
Otter Tail Corporation
City of Wahpeton, Wahpeton, ND
Public Convenience & Necessity

Mr. Reinbold: I move the Commission adopt the Order and issue a Certificate of Public Convenience and Necessity authorizing Otter Tail Corporation to extend electric service to the City of Wahpeton for a water tower site near Wahpeton, North Dakota, Case No. PU-2805-03-199.

Mr. Clark: I second the motion.
Roll Call: All voting "Aye."

Case No. RC-705-03-135
Falkirk Mining Company
Notice of Violation 0301
Violation

Mr. Reinbold: I move the Commission cancel the informal conference scheduled for May 22, 2003, and adopt a final order in Case No. RC-705-03-135, Notice of Violation No. 0301 issued to the Falkirk Mining Company.

Mr. Clark: I second the motion.
Roll Call: All voting "Aye."

Case No. RC-640-03-223
Basin Cooperative Services
Extension 22, Permit 29
Approval

Mr. Reinbold: I move the Commission approve Reclamation Period Extension No. 22 for Surface Coal Mining Permit No. 29, held by Basin Cooperative Services, to extend the reclamation period on 151.3 acres of reclaimed land at the Glenharold Mine until May 31, 2004.

Mr. Clark: I second the motion.
Roll Call: All voting "Aye."

Blaster Certification/Recertification

Mr. Reinbold: I move the Commission approve the blaster certification/recertification of the following applicants:

<u>Applicant</u>	<u>Affiliation</u> <u>Certification</u>	<u>Certificate No.</u>
Dennis Johnson	Falkirk <u>Recertification</u>	03-04-264
Gene Welch	Falkirk	85-10-051-R(6)
Lyle Lauf	Falkirk	85-11-058-R(4)
Michael F. Hilbert	Falkirk	85-12-075-R(6)
John D. Comford	Falkirk	89-11-160-R(3)
Mike J. Wegleitner	Falkirk	91-04-178-R(4)

Mr. Clark: I second the motion.
Roll Call: All voting "Aye."

Case No. AU-896-03-237
Rudy Butenas - Auctioneer License
Suspension/Revocation
Notice of Opportunity for Hearing

Mr. Reinbold: I move the Commission issue an order in Case No. AU-896-03-237 suspending auctioneer license number 557 of Rudy Butenas, Pelican Rapids, Minnesota, for lack of adequate bond coverage and issue a Notice of Opportunity for Hearing on the matter.

Mr. Clark: I second the motion.
Roll Call: All voting "Aye."

Case No. AU-896-03-238
William Doll - Auctioneer License
Cancellation

Mr. Reinbold: I move the Commission issue an order in Case No. AU-896-03-238 canceling auctioneer license number 151 of William Doll, Bismarck, North Dakota.

Mr. Clark: I second the motion.
Roll Call: All voting "Aye."

Case No. AU-896-03-239
Gerald Praus Clerking - Auction Clerk
License
Cancellation

Mr. Reinbold: I move the Commission issue an order in Case No. AU-896-03-239 canceling auction clerk license number 482 of Gerald Praus Clerking, Dickinson, North Dakota.

Mr. Clark: I second the motion.
Roll Call: All voting "Aye."

Case No. PU-2869-03-234
WTC Competitive Services, Inc./Qwest
Corporation
Interconnection Agreement
Application

Mr. Clark: I move the Commission issue a Notice of Opportunity to File Written Comments in the captioned applications for approval of interconnection agreements.

Mr. Reinbold: I second the motion.
Roll Call: All voting "Aye."

Case No. PU-2528-03-244
WWC Holding Co., Inc./Reservation
Telephone Cooperative
Interconnection Agreement
Application

Case No. PU-2686-03-245
WWC Holding Co., Inc./Polar
Telecommunications, Inc.
Interconnection Agreement
Application

Case No. PU-2685-03-246
WWC Holding Co., Inc./Polar
Communications Mutual Aid
Corporation
Interconnection Agreement
Application

Case No. PU-2871-03-247
WWC Holding Co., Inc./Consolidated
Telcom
Interconnection Agreement
Application

Cases Continued

Case No. PU-2551-03-248
WWC Holding Co., Inc./Inter-
Community Telephone Co., LLC
Interconnection Agreement
Application

Case No. PU-2536-03-249
WWC Holding Co., Inc./BEK
Communications Cooperative
Interconnection Agreement
Application

Case No. PU-2544-03-250
WWC Holding Co., Inc./Northwest
Communications Cooperative
Interconnection Agreement
Application

Case No. PU-2872-03-251
WWC Holding Co., Inc./SRT
Communications, Inc.
Interconnection Agreement
Application

Case No. PU-2579-03-252
WWC Holding Co./West River
Telecommunications Cooperative
Interconnection Agreement
Application

Case No. PU-2873-03-253
Polar Telcom, Inc./Qwest Corporation
Interconnection Agreement
Amendment
Application

Case No. PU-2271-03-257
Sprint Communications Company
L.P./Qwest Corporation
Interconnection Agreement
Amendment
Application

Case No. PU-2630-03-264
U.S. Link, Inc./Qwest Corporation
Interconnection Agreement
Amendment
Application
Notice of Opportunity to File Written
Comments

Cases Continued

Case No. PU-2875-03-266
Covista, Inc.
Local Exchange/Interexchange
Public Convenience & Necessity
Notice of Opportunity for Hearing

Mr. Clark: I move the Commission issue a Notice of Opportunity for Hearing in the application of Covista, Inc. for certificates of public convenience and necessity to provide competitive local exchange and interexchange telecommunications services in North Dakota.

Mr. Reinbold: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-587-03-240
Thompson Supply, Inc. - Roving Grain
Buyer
Suspension/Revocation
Notice of Opportunity for Hearing

Mr. Clark: I move the Commission issue an order in Case No. GE-587-03-240 suspending roving grain buyer license number 3017 of Thompson Supply, Inc., Page, North Dakota, for lack of an adequate bond filing and issue a Notice of Opportunity for Hearing on the matter.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-2741-03-267
Monty Hepper dba Hepper Feed
License No. 1104 - Selfridge, ND
Discontinue Business

Mr. Clark: I move the Commission issue an order in Case No. GE-2741-03-267 granting the request of Monty Hepper doing business as Hepper Feed to discontinue business at Selfridge, North Dakota, effective May 7, 2003.

Mr. Reinbold: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-2876-03-268
Quarter Circle Y, Co. dba Hepper Feed
Grain Warehouse - Selfridge, ND
License Application

Mr. Clark: I move the Commission issue an order in Case No. GE-2876-03-268 granting the request of Quarter Circle Y, Co. doing business as Hepper Feed to operate a 105,000-bushel grain warehouse at Selfridge, North Dakota, effective May 7, 2003.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2342-01-296
Qwest Corporation
Interconnection/Wholesale Price
Investigation
Notice of Hearing

Mr. Clark: I move the Commission issue a Notice of Hearing in Qwest Corporation's Interconnection/Wholesale Price Investigation, Case No. PU-2342-01-296.

Mr. Reinbold: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-402-03-254
Great Plains Natural Gas Co.
May 2003
Purchased Gas Adjustment

Mr. Reinbold: I move the Commission approve Great Plains Natural Gas Co.'s purchased gas adjustment for May 2003, Case No. PU-402-03-254.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-399-03-258
Montana-Dakota Utilities Co., a
Division of MDU Resources Group, Inc
June 2003
Purchased Gas Adj. Natural Gas

Mr. Reinbold: I move the Commission approve Montana-Dakota Utilities Co.'s Natural Gas Purchased Gas Adjustment for June 2003, Case No. PU-399-03-258.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-399-03-259
Montana-Dakota Utilities Co., a
Division of MDU Resources Group, Inc
June 2003
Purchased Gas Adjust. Propane

Mr. Reinbold: I move the Commission approve Montana-Dakota Utilities Co.'s propane purchased gas adjustment for June 2003, Case No. PU-399-03-259.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-2840-03-113
Lehigh Road Phase VIII
2003-2006 AML Construction
Project

Mr. Reinbold: I move the Commission amend contract No. AM-459-03 with Thiem Drilling, Inc., 1502 West Broadway, Williston, North Dakota 58801 to change the performance period to May 22, 2003, thru August 30, 2003.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-2840-03-113
Lehigh Road Phase VIII
2003-2006 AML Construction
Project

Mr. Reinbold: I move the Commission amend contract No. AM-460-03 with GEOSERV, Inc., 3100 E. Broadway Avenue, Bismarck, North Dakota 58502 to change the performance period to May 22, 2003, thru August 30, 2003.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2342-01-296
Qwest Corporation
Interconnection/Wholesale Price
Investigation
Valuation Billing

Mr. Reinbold: I move the Commission bill Qwest Corporation, US Link, Inc., VAL-ED Joint Venture, LLP d/b/a 702 Communications, McLeodUSA Telecommunications, Inc. and IdeaOne Telecommunications, Inc. for costs incurred to date in Case No. PU-2342-01-296, Qwest Corporation, Interconnection/Wholesale Price, Investigation.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-399-02-183
Montana-Dakota Utilities Co., a
Division of MDU Resources Group, Inc
Natural Gas Rate Increase
Application

Mr. Reinbold: I move the Commission bill Montana-Dakota Utilities Co. for costs incurred to date in Case No. PU-399-02-183, Montana-Dakota Utilities Co., Natural Gas Rate Increase, Application.

Mr. Clark: I second the motion.
Roll Call: All voting "Aye."

Designated Medical Provider

Mrs. Wefald: I move the Commission select Medcenter One as the worker's compensation designated provider effective July 1, 2003.

Mr. Reinbold: I second the motion.
Roll Call: All voting "Aye."

Appoint Organization of MISO States
Board of Directors Member

Mr. Clark: I move the Commission become a member of the Organization of MISO States, Inc. (OMS) and designate Commissioner Wefald to represent the Commission as a member of the OMS board of directors.

Mr. Reinbold: I second the motion.
Roll Call: All voting "Aye."

Case No. RR-439-03-271
Public Service Commission
Rail Rates on Grain
Investigation

Mr. Reinbold: I move that the Commission solicit proposals from consultants for work associated with the rail rate investigation authorized by the 2003 Legislature.

Mr. Clark: I second the motion.
Roll Call: All voting "Aye."

Authorization for Performance Bonuses

Mrs. Wefald: I move the Commission proceed with a nominating process for performance bonuses. Nominations are to be no longer than one page maximum.

Mr. Reinbold: I second the motion.
Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 11:45 A.M.

Executive Secretary

TONY T. CLARK, PRESIDENT