

February 9, 2005

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on February 9, 2005, 10:00 a.m. Present were Commissioners Clark, Wefald, and Cramer.

Minutes

Mr. Cramer: I move the minutes of January 26, 2005, be approved.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Bills

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

FedEx	97.42
Thiem Drilling, Inc.	20,449.00
Rick Fillbrandt	151.46
Timothy Erdmann	725.27
Stephan Schroeder	75.73
Bruce A. Johnson	18.00
Guy Welch	18.00
David Bickel	18.00
William E. Dodd	44.80
Bruce Beechie	557.20
Mark Knell	6.00
Wayne Grangaard	389.50
Bill Eide	110.86
Leo D. Praus	433.31
Kevin Cramer	602.70
JP Robbins	281.67
Hanson's Excavating, Inc.	13,852.50
Office of Administrative Hearings	81.84
OMB-1/05 Postage	500.96

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-43  
Acceris Communications Corp.  
Local Exchange Reseller  
Application

Mr. Cramer: I move the Commission issue a Certificate of Registration to Acceris Communications Corp. to resell local exchange telecommunications services in North Dakota, Case No. PU-05-43.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-05-48  
Dennis Ray Polk - Auctioneer  
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Dennis Ray Polk, New Paris, Indiana.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-05-49  
Jeffrey Eugene Polk - Auctioneer  
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Jeffrey Eugene Polk, New Paris, Indiana.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-05-50  
Brian Alan Zehring - Auction Clerk  
License Application

Mr. Cramer: I move the Commission approve the auction clerk license application for Brian Alan Zehring, New Paris, Indiana.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-05-63  
Safflower Technologies International, LLC  
License Application

Mr. Cramer: I move the Commission approve the roving grain buyer license application for Safflower Technologies International, LLC., Sidney, Montana.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-05-67  
Richard Allen Lande - Auctioneer  
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Richard Allen Lande, Mayville, ND.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-05-68  
Richard Allen Lande - Auction Clerk  
License Application

Mr. Cramer: I move the Commission approve the auction clerk license application for Richard Allen Lande, Mayville, ND.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-05-69  
Steven J. Farrell - Auctioneer  
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Steven J. Farrell, Milbank, South Dakota.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-05-70  
Paul Farrell - Auctioneer  
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Paul Farrell, Milbank, South Dakota.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-665  
Otter Tail Corporation  
Aaron McCardle, Cooperstown, ND  
Public Convenience & Necessity

Mr. Cramer: I move the Commission adopt the Order issuing a Certificate of Public Convenience and Necessity authorizing Otter Tail Corporation to extend electric service to Aaron McCardle for a grain bin site near Cooperstown, North Dakota, Case No. PU-04-665.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-237  
Midcontinent Communications vs.  
Polar Telcom, Inc./HTC Services, Inc.  
Complaint

Mr. Clark: I move the Commission adopt the Administrative Law Judge's recommended findings of fact, conclusions of law and order in this proceeding, effective February 9, 2005.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-632  
Qwest Corporation  
Performance Indicator Definitions  
Revision

Mr. Clark: I move the Commission adopt the Order in Case No. PU-04-632, Qwest Corporation's Performance Indicator Definitions.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-32  
CommPartners, LLC  
Local Exchange/Interexchange  
Public Convenience & Necessity

Mr. Clark: I move the Commission issue a Notice of Opportunity for Hearing in the captioned applications for certificates of public convenience and necessity to provide telecommunication services in North Dakota.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-44  
Acceris Communications Corp.  
Local/Interexchange  
Public Convenience & Necessity

Case No. PU-05-62  
KMC Data LLC  
Local/Interexchange  
Public Convenience & Necessity  
Notice of Opportunity

Case No. GE-05-71  
Organic Grain & Milling, Inc.  
Grain Warehouse - Clyde, ND  
License Application

Mr. Clark: I move the Commission issue an order in Case No. GE-05-071 granting the request of Organic Grain and Milling, Inc. to operate a 124,000-bushel grain warehouse at Clyde, North Dakota, effective February 7, 2005.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-29  
Otter Tail Corporation  
February 2005  
Fuel Cost Adjustment

Mrs. Wefald: I move the Commission approve Case No. PU-05-29, Otter Tail Corporation's Electric Fuel Cost Adjustment for February 2005.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-30  
Montana-Dakota Utilities Co., a  
Division of MDU  
February 2005  
Fuel Cost Adjustment

Mrs. Wefald: I move the Commission approve Montana-Dakota Utilities Co.'s fuel cost adjustment for February 2005, Case No. PU-05-30.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-52  
Northern States Power Company  
February 2005  
Fuel Cost Adjustment

Mrs. Wefald: I move the Commission approve Northern States Power Company's fuel cost adjustment for February 2005, Case No. PU-05-52.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-109  
Basin Electric Power Coop Inc.  
Antelope Valley Station Water Pipeline-  
Mercer County.  
Siting Application  
Notice of Rescheduled Hearing

Mr. Cramer: I move the Commission acknowledge the Notice of Rescheduled Hearing in the application of Basin Electric Power Cooperative for the Antelope Valley Station Water Pipeline in Mercer County, Case No. PU-04-109.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-59  
Northern States Power Company  
February 2005  
Cost of Gas Adjustment

Mr. Cramer: I move the Commission approve Northern States Power Company's cost of gas adjustment for February 2005, Case No. PU-05-59.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

2005 Federal/State  
Gas Pipeline Safety Agreement

Mr. Cramer: I move the Commission sign and submit the 2005 Gas Pipeline Safety Certification Agreement to the U.S. Department of Transportation, Research and Special Programs Administration, signifying its planned participation in the 2005 gas pipeline safety program year.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 11:00 A.M.

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Executive Secretary

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TONY T. CLARK, PRESIDENT