

July 13, 2005

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on July 13, 2005, 10:00 a.m. Present were Commissioners Clark, Wefald, and Cramer.

Minutes

Mr. Cramer: I move the minutes of June 29, 2005, be approved.

Mr. Clark: 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:

American Red Cross	80.00
Fireside Office Products	1,348
ND Newspaper Association	1,063.45
Thiem Drilling, Inc.	11,488.25
Quality Construction	51,763.50
Advanced Office Solutions	16,611.00
Bain Agency, Inc.	710.00
Hewlett-Packard Company	490.00
NARUC	7,210.00
ND Newspaper Association—clippings	138.20
AAWCO	150.00
ND Safety Council, Inc.	115.00
Presort Plus	9.23
UniqueScreen Media	2,690.50
Illona A. Jeffcoat-Sacco	969.85
Mike Diller	1,663.56
David Bickel	6.00
Nirander M. Safaya	18.00
Kevin Hanson	627.82
Dean K. Moos	34.00
Bruce Johnson	12.00
Stephan A. Schroeder	1,265.74
Larry Reisenauer	860.85
Mark Knell	89.12
William E. Dodd	60.00
Guy Welch	34.00
Timothy Erdmann	536.42
James Deutsch	22.00
Alan Moch	274.74
Kevin Cramer	10.00
Susan Wefald	16.00
Rick Fillbrandt	157.45
Phyllis Richter	672.00
JP Robbins	543.75
Leo Praus	64.41
Wayne Grangaard	65.49
Liberty Consulting Group	5,095.67

OMB	180.00
OMB-6/05 central supply	1,850.52
OMB-6/05 central duplicating	259.76
Secretary of State	260.00
ND Geological Survey	608.67
OMB-6/05 postage	826.19

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-131  
Otter Tail Corporation  
Cost of Energy Adjustment Clause  
Tariff

Mr. Cramer: I move the Commission approve Case No. PU-05-131, Otter Tail Corporation's Cost of Fuel Adjustment Clause tariff.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-135  
Montana-Dakota Utilities Co., a  
Division of MDU  
Cost of Energy Adjustment Clause  
Tariff

Mr. Cramer: I move the Commission approve Montana-Dakota Utilities Co.'s Cost of Fuel Adjustment Clause tariff, Case No. PU-05-135.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-147  
Northern States Power Company  
Cost of Fuel Adjustment Clause  
Tariff

Mr. Cramer: I move the Commission approve Northern States Power Company's Cost of Fuel Adjustment Clause tariff, Case No. PU-05-147.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-318  
Otter Tail Corporation  
Mike Ohmann, Pembina, 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 Mike Ohmann for a residential site near Pembina, North Dakota, Case No. PU-05-318.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-319  
Otter Tail Corporation  
Helen Soderfelt, Pembina, 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 Helen Soderfelt for a residential site near Pembina, North Dakota, Case No. PU-05-319.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-320  
Otter Tail Corporation  
Larry Wilwant, Pembina, 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 Larry Wilwant for a residential site near Pembina, North Dakota, Case No. PU-05-320.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-321  
Otter Tail Corporation  
Edward Haugen, Pembina, 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 Edward Haugen for a residential site near Pembina, North Dakota, Case No. PU-05-321.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-322  
Otter Tail Corporation  
Dale Mason, Fessenden, 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 Dale Mason for a residential site near Fessenden, North Dakota, Case No. PU-05-322.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-323  
Montana-Dakota Utilities Co., a  
Division of MDU  
Bill Meuler, Mott, ND  
Public Convenience & Necessity

Mr. Cramer: I move the Commission adopt the Order issuing a Certificate of Public Convenience and Necessity authorizing Montana-Dakota Utilities Co. to extend electric service to Bill Meuler for a residential site near Burt, North Dakota, Case No. PU-05-323.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-05-413  
Basin Cooperative Services  
Extension 24, Permit 29  
Approval

Mr. Cramer: I move the Commission approve Reclamation Period Extension No. 24 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, 2006.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-05-419  
Grand Forks Bean, LLC  
License No. 909 - Grand Forks, ND  
Discontinue Business

Mr. Clark: I move the Commission issue an order in Case No. GE-05-419 granting the request of Grand Forks Bean, LLC to discontinue business at Grand Forks, North Dakota, effective June 29, 2005.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-05-420  
Thompson Farmers Co-operative  
Elevator Company  
Grain Warehouse - Grand Forks, ND  
License Application

Mr. Clark: I move the Commission issue an order in Case No. GE-05-420 granting the request of Thompson Farmers Co-operative Elevator Company to operate a 199,000-bushel grain warehouse at Grand Forks, North Dakota, effective June 29, 2005.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-05-421  
Miller Elevator Company  
License No. 186 - Cuba, ND  
Discontinue Business

Mr. Clark: I move the Commission issue an order in Case No. GE-05-421 granting the request of Miller Elevator Company, Valley City, North Dakota, to discontinue business at its Cuba, North Dakota, facility.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-05-422  
ConAgra Foods, Inc.  
Facility-Based Grain Buyer - Devils  
Lake, ND  
Discontinue Business

Mr. Clark: I move the Commission issue an order in Case No. GE-05-422 granting the request of ConAgra Foods, Inc., Omaha, Nebraska, to discontinue business as a facility-based grain buyer at Devils Lake, North Dakota.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-05-424  
Farmers Elevator of Fortuna  
License No. 700 - East Westby, ND  
Discontinue Business

Mr. Clark: I move the Commission issue an order in Case No. GE-05-424 granting the request of Farmers Elevator of Fortuna to discontinue business at East Westby, North Dakota.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-05-423  
Roy Legumex, Inc.  
Roving Grain Buyer - St. Jean Baptiste, MB  
Discontinue Business

Mr. Clark: I move the Commission issue an order in Case No. GE-05-423 granting the request of Roy Legumex, Inc., St. Jean Baptiste, Manitoba, Canada, to discontinue business as a North Dakota roving grain buyer.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-05-425  
Horizon AgCo, Inc.  
Roving Grain Buyer - Maple Grove, MN  
Discontinue Business

Mr. Clark: I move the Commission issue an order in Case No. GE-05-425 granting the request of Horizon AgCo, Inc., Maple Grove, Minnesota, to discontinue business as a North Dakota roving grain buyer effective July 11, 2005.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-05-439  
Plains Grain & Agronomy, LLC  
License No. 1125 - Anslem, ND  
Discontinue Business

Mr. Clark: I move the Commission issue an order in Case No. GE-05-439 granting the request of Plains Grain & Agronomy, LLC, Enderlin, North Dakota, to discontinue business at Anslem, North Dakota.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-05-443  
Dodge Farmers Elevator  
License No. 321 - Dodge, ND  
Suspension/Revocation  
Notice of Hearing

Mr. Clark: I move the Commission issue an order in Case No. GE-05-443 automatically suspending warehouse license number 321 of Dodge Farmers Elevator, Dodge, North Dakota, effective July 11, 2005, for lack of an adequate bond filing and issue a Notice of Opportunity for Hearing on the matter.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-418  
Plains Pipeline, L.P.  
Trenton Pipeline System-McKenzie-  
Williams Counties  
Public Convenience & Necessity  
Notice of Hearing

Mr. Cramer: I move the Commission issue a Notice of Opportunity for Hearing in Plains Pipeline, L.P.'s request for a certificate of public convenience and necessity for its Trenton Pipeline System in McKenzie and Williams Counties in North Dakota, Case No. PU-05-418.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-429  
Northern States Power Company  
2005  
Cost of Gas Adjustment

Mr. Cramer: I move the Commission approve Northern States Power Company's cost of gas adjustment for July 2005, Case No. PU-05-429.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-437  
Great Plains Natural Gas Co.  
July 2005  
Cost of Gas Adjustment

Mr. Cramer: I move the Commission approve Great Plains Natural Gas Co.'s Cost of Gas adjustment for July 2005, Case No. PU-05-437.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. GS-04-614  
North Dakota One-Call  
CY2005 - R07906  
Application

Mr. Cramer: I move the Commission execute a contract with One Call Concepts, Inc., 2020 Centre Pointe Blvd., Mendota Heights, Minnesota, in the amount of \$16,000 for a One-Call consultant.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-348  
Montana-Dakota Utilities Co., a  
Division of MDU  
July 2005  
Cost of Gas Adj./Natural Gas  
Waive or Change Tariff

Commissioner Wefald's  
Concurring Opinion

Mr. Cramer: I move the Commission adopt the Order granting Montana-Dakota Utilities Co.'s request to waive or change its Purchased Gas Cost Adjustment tariff to the extent necessary to allow a cash refund as specified in the order, Case No. PU-05-348.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Mrs. Wefald: I agree with everything in this order except for the provision that "the refund should not be reduced for out of pocket costs associated with the cash refund to customers." I believe that the refund is the cost causer in this case, and that costs associated with the checks should come from the refund.

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Susan E. Wefald, Commissioner

ATTEST

THE COMMISSION ADJOURNED AT 11:30 A.M.

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Executive Secretary

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TONY T. CLARK, PRESIDENT