

July 28, 2005

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on July 28, 2005, 10:00 a.m. Present were Commissioners Clark, Wefald, and Cramer.

Minutes

Mr. Cramer: I move the minutes of July 13, 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:

Leo Praus	962.40
Mike Diller	100.00
Alton Grain Terminal, LLC	100.00
Plains Grain & Agronomy, LLC	300.00
Engstrom Bean & Seed, Inc.	200.00
Movie Ad Media, Inc.	2,479.00
Quality Construction, Inc.	23,234.50
COGMA	230.00
Interstate Mining Compact Commission	12,308.00
ND Newspaper Association	53.66
Thiem Drilling, Inc.	23,575.00
Cellular One	249.97
Guy Welch	24.00
OMB – ups	85.58
OMB – training	15.00
Office of Administrative Hearings	272.81
Office of Attorney General	11.70
DOT	13,433.87
ND Dept. of Insurance	709.15
ITD – 6/05 rate charges	1,402.97
ITD – 6/05 processing fee	14,450.00

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-05-442
Harle C. Hansen
Auctioneer
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Harle C. Hansen, Sierra Vista, Arizona.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-05-459
Dennis Clarke Haughian
Auctioneer
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Dennis Clarke Haughian, Sioux Falls, SD.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-350
Otter Tail Corporation
Kathy Ringdahl, Wahpeton, 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 Kathy Ringdahl for a residential site near Wahpeton, North Dakota, Case No. PU-05-350.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-411
Montana-Dakota Utilities Co., a
Division of MDU
Sunnyside Feeds LLC - Mandan, 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 Sunnyside Feeds LLC for a livestock feed manufacturing site near Mandan, North Dakota, Case No. PU-05-411.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-184
Plains Pipeline, L.P.
Trenton Station Expansion/Williams County
Siting Application
Notice of Hearing

Mr. Cramer: I move the Commission acknowledge the July 14th issuance of a Notice of Hearing in Case No. PU-05-184, Plains Pipeline, L.P.'s Trenton Station Expansion in Williams County, North Dakota.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-28
VCI Company
Designated Eligible Carrier
Application

Mr. Clark: I move the Commission adopt the Findings of Fact, Conclusions of Law, and Order granting the application of VCI Company for designation as an Eligible Telecommunications Carrier for receiving federal universal service support, Case No. PU-05-28.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-229
Ernest Communications, Inc.
Local Exchange
Public Convenience & Necessity

Mr. Clark: I move the Commission adopt the Order and issue a Certificate of Public Convenience and Necessity to Ernest Communications, Inc. to provide local exchange telecommunication services in North Dakota.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-272
Midcontinent Communications
Designated Eligible Carrier
Application

Mr. Clark: I move the Commission adopt the Order in the application of Midcontinent Communications for designation as an Eligible Telecommunications Carrier for receiving federal universal service support.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-449
Midcontinent Communications/Dakota
Central Tele I
Rural Exemption
Complaint

Mr. Clark: I move the Commission find the complaint filed under North Dakota Century Code Section 49-21-10.3 states a prima facie case, serve the complaint on Dakota Central Telecom I, Inc., and refer the complaint to the Office of Administrative Hearings for hearing and issuance of recommended findings of fact, conclusions of law, and order.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-450
Midcontinent Communications/Dakota
Central Tele I
Rural Exemption
Investigation
Notice of Hearing

Mr. Clark: I move the Commission issue a Notice of Hearing in this proceeding.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-451
Midcontinent Communications/ND
Telephone Co.
Rural Exemption
Investigation
Notice of Hearing

Mr. Clark: I move the Commission issue a Notice of Hearing in this proceeding.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-05-438
Busch Agricultural Resources, Inc.
License No. 660 - Grandin, ND
Discontinue Business

Mr. Clark: I move the Commission issue an order in Case No. GE-05-438 granting the request of Busch Agricultural Resources, Inc., West Fargo, North Dakota, to discontinue business at Grandin, North Dakota effective August 1, 2005.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-05-460
CHS, Inc.
Facility-Based Grain Buyer - Glenburn, ND
Discontinue Business

Mr. Clark: I move the Commission issue an order in Case No. GE-05-460 granting the request of CHS, Inc., St. Paul, Minnesota, to discontinue business at Glenburn, North Dakota.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-05-461
Technology Crops, Inc.
Grain Warehouse - Winston-Salem, NC
License Application

Mr. Clark: I move the Commission issue an order in Case No. GE-05-461 granting the request of Technology Crops, Inc., Winston-Salem, North Carolina, to operate an 878,000-bushel grain warehouse at Wimbledon, North Dakota, effective immediately.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-05-462
Lockhart Elevator Company
License No. 667 - Grandin, ND
Discontinue Business

Mr. Clark: I move the Commission issue an order in Case No. GE-05-462 granting the request of Lockhart Elevator Company to discontinue business at Grandin, North Dakota, effective August 1, 2005.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-05-463
Bloomvale, Inc.
License No. 1110 - Taylor, ND
Discontinue Business

Mr. Clark: I move the Commission issue an order in Case No. GE-05-463 granting the request of Bloomvale, Inc. to discontinue business at Taylor, North Dakota, effective August 1, 2005.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-05-464
North Star Grain & Transfer, LLC
License No. 1050 - Petersburg, ND
Discontinue Business

Mr. Clark: I move the Commission issue an order in Case No. GE-05-464 granting the request of North Star Grain & Transfer, LLC to discontinue business at Petersburg, North Dakota, effective August 1, 2005.

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

Mr. Clark: I move the Commission issue an order in Case No. GE-05-443 granting the request of Dodge Farmers Elevator to discontinue business at Dodge, North Dakota, effective August 1, 2005.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-05-471
North Central Grain Cooperative
License No. 21 - Egeland, ND
Discontinue Business

Mr. Clark: I move the Commission issue an order in Case No. GE-05-471 granting the request of North Central Grain Cooperative to discontinue business at Egeland, North Dakota, effective August 1, 2005.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-05-472
Cando Farmers Grain & Oil
Cooperative, Inc.
Grain Warehouse - Egeland, ND
License Application

Mr. Clark: I move the Commission issue an order in Case No. GE-05-472 granting the request of Cando Farmers Grain & Oil Cooperative, Inc., Cando, North Dakota, to operate a 114,000-bushel grain warehouse at Egeland, North Dakota, effective August 1, 2005.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-05-476
St. Hilaire Seed Company, Inc.
License No. 1130 - Wimbledon, ND
Discontinue Business

Mr. Clark: I move the Commission issue an order in Case No. GE-05-476 granting the request of St. Hilaire Seed Company, Inc. to discontinue business at Wimbledon, North Dakota, effective August 1, 2005.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-301
Otter Tail Corporation
June 2005
Fuel Cost Adjustment

Mrs. Wefald: Discussion items only.

Case No. PU-05-307
Montana-Dakota Utilities Co., a
Division of MDU
June 2005
Fuel Cost Adjustment

Case No. PU-05-315
Northern States Power Company
June 2005
Fuel Cost Adjustment

Case No. PU-05-363
Otter Tail Corporation
July 2005
Fuel Cost Adjustment

Case No. PU-05-412
Montana-Dakota Utilities Co., a
Division of MDU
July 2005
Fuel Cost Adjustment

Case No. PU-05-428
Northern States Power Company
July 2005
Fuel Cost Adjustment

Update
Xcel Proposed PBR
Electric Rate Increase

Case No. PU-05-274
Enbridge Pipelines (North Dakota) LLC
Crude Oil Pumping Stations-McKenzie-
Williams County
Siting Application

Mr. Cramer: I move the Commission adopt the Order and issue amended certificates in Enbridge Pipelines (North Dakota) LLC's application to construct a pumping station and upgrade two other pumping stations on its Beaver Lodge to Alexander Station crude oil pipeline in McKenzie and Williams Counties, Case No. PU-05-274.

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
Refund Plan

Mr. Cramer: I move the Commission approve the Refund Plan filed by Montana-Dakota Utilities Co. in Case No. PU-05-348.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-440
Montana-Dakota Utilities Co., a
Division of MDU
August 2005
Cost of Gas Adjustment – Natural Gas

Mr. Cramer: I move the Commission approve Montana-Dakota Utilities Co.'s Natural Gas Cost of Gas Adjustment for August 2005, Case No. PU-05-440.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-175
BNI Coal, Ltd.
Revision No. 14, Permit BNCR-9702
Approval

Mr. Cramer: I move the Commission conditionally approve Revision No. 14 to Surface Coal Mining Permit No. BNCR-9702, held by BNI Coal, Ltd. for the Center Mine, to identify the next five-year coal removal subarea and to update other information and plans in the permit.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-05-176
BNI Coal, Ltd
Renewal No. 1, Permit No. BNCR-9702
Approval

Mr. Cramer: I move the Commission approve Renewal No. 1 to Surface Coal Mining Permit No. BNCR-9702, held by BNI Coal, Ltd. for the Center Mine, to extend the permit term for another five years, until August 2, 2010.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 12:45 P.M.

Executive Secretary

TONY T. CLARK, PRESIDENT