

January 16, 2008

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on January 16, 2008, 10:00 a.m. Present were Commissioners Wefald, Cramer and Clark.

Minutes

Mr. Cramer: I move the minutes of December 31, 2007, 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:

ND Newspaper Association	1,829.71
Dell Marketing L.P.	1,151.92
Hewlett Packard Company	3,156.00
Thiem Drilling, Inc.	1,746.25
AAWCO	200.00
Presort Plus	23.00
JP Robbins	412.80
Wayne Grangaard	158.04
Jerry Lein	190.65
Tim Oswald	7.50
Michael Berg	75.00
Bruce Beechie	35.00
William E. Dodd	52.50
Bruce Johnson	15.00
Guy Welch	27.50
Kraig Nelson	26.57
Stephan A. Schroeder	15.00
Illona Jeffcoat-Sacco	1,552.85
Grant County Soil Conservation District	216.00
OMB – 12/07 postage	673.16
OMB – 12/07 central duplicating	21.76
OMB – 12/07 supplies	306.62
ITD – 12/07 dp	5,804.82
Office of Administrative Hearings	6,091.99
ITD – 12/07 phone chgs	1,737.64
DOT	6,304.14

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-07-776  
Northern States Power Company  
Electric Rate Increase  
Application

Mr. Cramer: I move the Commission acknowledge its request to the Attorney General's office to provide legal assistance in Northern States Power Company's electric rate increase case, and that Doug Bahr, Solicitor General, has been assigned to assist the Commission in this proceeding.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-06-490  
Public Utilities - Electric  
Rulemaking

Mr. Cramer: I move the Commission adopt an order submitting the reclamation and public utility rule changes proposed in Case Numbers RC-07-163 and PU-06-490 to the Attorney General for an opinion as to legality.

Case No. RC-07-163  
Reclamation  
Rulemaking

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-08-19  
BNI Coal, Ltd.  
Self-Bond Increase  
Permit No. BNCR-9702

Mr. Cramer: I move the Commission approve the Self-Bond Rider to Increase Bond Area for Self Bond No. SB 9702-01 to add 1.8 acres to the consolidation bond area that covers several permits at BNI Coal, Ltd's Center Mine.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-08-14  
Lucas J. Lentsch  
Auctioneer  
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Lucas J. Lentsch, Britton, South Dakota.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-08-15  
Lucas J. Lentsch  
Auction Clerk  
License Application

Mr. Cramer: I move the Commission approve the auction clerk license application for Lucas J. Lentsch, Britton, South Dakota.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-08-16  
Josh J. Kraft  
Auctioneer  
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Josh J. Kraft, Britton, South Dakota.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-08-17  
Josh J. Kraft  
Auction Clerk  
License Application

Mr. Cramer: I move the Commission approve the auction clerk license application for Josh J. Kraft, Britton, South Dakota.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-08-18  
William J. Bitz  
Auctioneer License  
Cancellation

Mr. Cramer: I move the Commission issue an order in Case No. AU-08-18 canceling auctioneer license number 795 issued to William J. Bitz, Kintyre, North Dakota.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-08-26  
Cody A. Buchholz  
Auctioneer  
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Cody A. Buchholz, Pompeys Pillar, Montana.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-08-27  
Cody A. Buchholz  
Auction Clerk  
License Application

Mr. Cramer: I move the Commission approve the auction clerk license application for Cody A. Buchholz, Pompeys Pillar, Montana.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-08-28  
Delbert G. Hinkelman  
Auctioneer  
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Delbert G. Hinkelman, Groton, South Dakota.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-07-72  
Williams County Road 9  
2007 Phase 2 Construction  
Project

Mrs. Wefald: I move the Commission close out Contract No. AM-542-07 with Thiem Drilling, Inc. for completion of construction services at the Williams County Road 9 Phase 2 abandoned mine lands site.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-07-73  
Columbus  
2007 Phase 8 Construction  
Project

Mrs. Wefald: I move the Commission award a contract to the Burke County Soil Conservation District for tree and shrub plantings at the Columbus Phase 8 abandoned mine land site in Burke County.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-07-754  
Montana-Dakota Utilities Co.  
Capital Electric Coop  
Service Area Agreement  
Application

Mrs. Wefald: I move the Commission adopt the Order approving a service area agreement establishing locations for new electric service to be served by Montana-Dakota Utilities and Capital Electric Cooperative within and around the City of Bismarck, North Dakota, Case No. PU-07-754.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-07-757  
Otter Tail Corp-Cass County  
Electric Co-Op Inc.  
Service Area Agreement  
Application

Mrs. Wefald: I move the Commission adopt the Order approving a service area agreement establishing locations for new electric service to be served by Otter Tail Corporation and Cass County Electric Cooperative, Inc. within and in areas adjacent to the City of Kindred, North Dakota, Case No. PU-07-757.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-07-776  
Northern States Power Company  
Electric Rate Increase  
Application

Mrs. Wefald: I move the Commission issue a Notice of Public Input Session and Intervention Deadline in Northern States Power Company's Electric Rate Increase Application, Case No. PU-07-776.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-07-794  
Otter Tail Corporation  
January 2008  
Fuel Cost Adjustment

Discussion Items

Case No. PU-07-796  
Montana-Dakota Utilities Co.,  
a Division of MDU  
January 2008  
Fuel Cost Adjustment

Case No. PU-08-7  
Northern States Power Company  
January 2008  
Fuel Cost Adjustment

News Release  
Compact Fluorescent Light Bulbs

Case No. RC-06-428  
Coteau Properties Company  
Bond Release 3,  
Permit NACT-8601

Withdrawn

Case No. PU-07-791  
Enbridge Pipelines (North Dakota) LLC  
Pump Station Upgrades  
Siting Application

Mr. Cramer: I move the Commission acknowledge the letter of intent, shorten the one year waiting period between filing a letter of intent and a siting application to one day, and assess a filing fee of \$100,000 due upon filing of an application in Case No. PU-07-791, Enbridge Pipelines (North Dakota) LLC's proposed liquid petroleum pipeline system upgrades.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-07-795  
Northern States Power Company  
January 2008  
Cost of Gas

Discussion Items

Case No. PU-08-8  
Great Plains Natural Gas Co.  
January 2008  
Cost of Gas

Case No. GE-08-12  
Dakota Farms International, Ltd.  
dba DFI, Ltd.  
Roving Grain Buyer's License  
Carpenter SD  
Revocation

Mr. Clark: I move the Commission issue an order in Case No. GE-08-12 suspending roving grain buyer license number 3068 of Dakota Farms International, Ltd. doing business as DFI, Ltd., Carpenter, South Dakota, effective January 3, 2008, for lack of an adequate bond filing.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Salary Adjustment for Completion of  
Probationary Employment Period

Mr. Cramer: I move the approval of a salary increase effective January 1, 2008 for Position No. 5026, upon the satisfactory completion of an eight and one-half month probationary period, in an amount consistent with the terms set forth in the Commission's March 28, 2007 offer of employment.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Performance Bonuses

Mr. Cramer: I move the Commission award a performance bonus to the employee in position number 4993 and award a performance bonus to the employee in position number 5002, consistent with the Executive Director's written summary of the Commission's 9 January 2008 working session.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Performance and Reclassification  
Salary Adjustment

Mr. Cramer: I move the Commission authorize a performance and reclassification salary adjustment effective January 1, 2008 for Position No. 5002, consistent with the Executive Director's written summary of the Commission's January 9, 2008 working session.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 11:34 A.M.

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Executive Director

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SUSAN E. WEFALD, PRESIDENT