

June 19, 2008

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on June 19, 2008, 10:00 a.m. Present were Commissioners Wefald and Cramer.

Minutes

Mr. Cramer: I move the minutes of June 4, 6, 11, 2008 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:

Presort Plus	36.15
AAWCO 2008	150.00
ESRI	13,352.00
Snively King Majoros O'Connor & Lee, Inc.	5,687.50
Hewlett-Packard Company	3,562.72
Hub International of North Dakota	50.00
Secretary of State	36.00
Raymond Kelsch	521.60
Susan E. Wefald	15.00
William W. Binek	1,035.70
Alltel	311.32
B & C Concrete Pumping, Inc.	8,154.50
Tim Oswald	459.31
ITD - 5/08 ph	1,659.91
OMB - 5/08 postage	848.07
ITD - 5/08 dp	4,345.59
ITD - 5/08 microfilm	232.95
DOT - 5/08	10,574.58
OMB - 5/08 ups	8.98
OAH - 5/08	3,302.49

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-07-744
Montana-Dakota Utilities Co.,
a Division of MDU
Rod Mattern, Dawson, ND
Public Convenience & Necessity

Mr. Cramer: I move the Commission adopt the Order and issue a Certificate of Public Convenience and Necessity authorizing Montana-Dakota Utilities Co., a Division of MDU Resources, Inc., to extend electric service to Rod Mattern for a location near Dawson, North Dakota, Case No. PU-07-744.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye".

Case No. PU-08-193
Otter Tail Corporation
Jim Guy, Amenia, ND
Public Convenience & Necessity

Mr. Cramer: 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 Jim Guy for a location near Amenia, North Dakota, Case No. PU-08-193.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye".

Case No. AU-08-291
Paul Bellerud
Auctioneer
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Paul Bellerud, Middle River, Minnesota, effective June 10, 2008.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye".

Case No. GE-08-290
Montana Specialty Mills LLC
Roving Grain Buyer - Great Falls, MT
Discontinue Business

Mr. Cramer: I move the Commission issue an order in Case No. GE-08-290 granting the request of Montana Specialty Mills, LLC of Great Falls, MT, to discontinue business as a North Dakota roving grain buyer, effective August 1, 2008.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye".

Case No. PU-07-169
Basin Electric Power Coop Inc.
230 kV Transmission Line/
Stark to Bowman Ctys
Siting Application

Mrs. Wefald: I move the Commission deem the applications complete conditioned on receiving proposed transmission line structure locations on or before July 22, 2008 and issue a Notice of Filing and Notice of Hearing in the applications of Basin Electric Power Cooperative, Inc. for a waiver of procedures and time schedules, a corridor certificate and a route permit to construct approximately 74 miles of 230 kV transmission line within a transmission facility corridor proposed in Bowman, Hettinger, Stark and Slope Counties of North Dakota, Case No. PU-07-169.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye".

Case No. PU-07-387
Otter Tail Corporation
2007
Ten Year Plan

Mrs. Wefald: I move the Commission adopt the Order Granting Trade Secret Protection for certain electric transmission infrastructure information filed with Otter Tail Corporation's 2007 Ten-Year Plan, Case No. PU-07-387.

Mr. Cramer: I second the motion.

Discussion was held and motions made by Mr. Cramer and Mrs. Wefald were withdrawn. Mrs. Wefald requested Case No. PU-07-387 be held over.

Case No. AM-07-610
AML Maintenance
2007 Construction
Project

Mrs. Wefald: I move the Commission close-out Contract Number AM-545-07 with T & C Drilling, Inc. for completion of exploratory drilling at two abandoned mine land sites in Mercer and McLean Counties.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye".

Case No. PU-08-34
M-Power LLC
Electric Generation - Wind -
Griggs/Steele County
Siting Application

Mrs. Wefald: I move the Commission deem the applications complete conditioned on receiving proposed transmission line structure locations by July 21, 2008 and issue a Notice of Filings and Notice of Hearings in the applications of M-Power, LLC for a certificate of site compatibility to construct a 157.5 MW Laverne Wind Farm in Griggs and Steele Counties of North Dakota, Case No. PU-08-34; and for a waiver of procedures and time schedules, a corridor certificate and a route permit to construct approximately 13 miles of 230 kV transmission line in Barnes and Steele Counties of North Dakota, Case No. PU-08-107.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye".

Case No. AM-08-11
AML Maintenance
2008 Construction
Project

Mrs. Wefald: I move the Commission authorize procurement of construction services using competitive sealed bidding procedures for four maintenance projects that involve sinkhole filling at numerous sites in western North Dakota.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye".

Case No. RC-06-406
BNI Coal, Ltd.
Bond Release 9,
Permit BNLS-8109
Approval

Mr. Cramer: I move the Commission approve Bond Release No. 9 for Surface Coal Mining Permit No. BNLS-8109, held by BNI Coal, Ltd. for the Larson Mine, to release all remaining reclamation liabilities on 197.46 acres located in Sections 16, 17, and 19, T162N, R94W, Burke County. The amount of the bond release is \$101,532.92 and it will become effective July 21, 2008, unless a formal hearing is requested.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye".

Case No. PU-06-421
TransCanada Keystone Pipeline, LP
30-Inch Crude Oil Pipeline/
Cavalier to Sargent Cty
Siting Application

Mr. Cramer: I move the Commission issue a contract for consultant services to Kadrmas Lee & Jackson in TransCanada Keystone Pipeline, LP's application to construct and operate a 218-mile, 30-inch crude oil pipeline with associated facilities and pipeline interconnections in Cavalier to Sargent Counties, North Dakota, Case No. PU-06-421.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye".

Case No. RC-06-527
Coteau Properties Company
Bond Release 2, Permit NACT-9101
Approval

Mr. Cramer: I move the Commission approve Bond Release No. 2 for Surface Coal Mining Permit No. NACT-9101, held by the Coteau Properties Company for the Freedom Mine, to release all reclamation liabilities on 318.3389 acres of land located in a portion of Section 20, T145N, R86W, Mercer County. The release will become effective July 21, 2008, unless a formal hearing is requested.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye".

Case No. RC-08-82
BNI Coal, Ltd.
Renewal No. 5 - Permit BNCR-8106
Approval

Mr. Cramer: I move that the Commission approve Renewal No. 5 to Surface Coal Mining Permit No. BNCR-8106, held by BNI Coal Ltd., for the Center Mine, to extend the permit term another five years, until July 18, 2013.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye".

Case No. RC-08-108
Coteau Properties Company
Renewal 5, Permit NACT-8203
Approval

Mr. Cramer: I move the Commission approve Renewal No. 5 to Surface Coal Mining Permit No. NACT-8203, held by the Coteau Properties Company, to extend the permit term another five years, until July 6, 2013.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye".

Case No. PU-08-263
Northern States Power Company
June 2008
Cost of Gas

Discussion Only

Case No. PU-08-272
Great Plains Natural Gas Co.
June 2008
Cost of Gas

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

Mr. Cramer: I move the Commission acknowledge its Notice of Cancellation of Formal Hearing and Notice of Informal Hearing in Enbridge Pipelines (North Dakota) LLC's application to upgrade pump stations, Case No. PU-07-791.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye".

Case No. PU-06-421
TransCanada Keystone Pipeline, LP
30-Inch Crude Oil Pipeline/
Cavalier to Sargent Cty
Siting Application

Mr. Cramer: I move the Commission adopt the Third Supplemental Order in TransCanada Keystone Pipeline, LP's application to construct and operate a 218-mile, 30-inch crude oil pipeline with associated facilities and pipeline interconnections in Cavalier to Sargent Counties, North Dakota, granting TransCanada's requests for approval of a route refinement, Case No. PU-06-421.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye".

Case No. PU-08-343
Montana-Dakota Utilities Co.,
a Division of MDU
July 2008
Cost of Gas / Propane

Discussion Only

Case No. GE-08-231
Sky Can Ltd.
Grain Warehouse - Cando, ND
License Application

Mrs. Wefald: I move the Commission issue an order in Case No. GE-08-231 granting the request of Sky Can, Ltd. to operate a 40,000-bushel grain warehouse at Cando, North Dakota, effective June 9, 2008.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye".

Case No. GE-08-273
GTC-GTC, LLC
License No. 933 - Falkirk, ND
Discontinue Business

Mrs. Wefald: I move the Commission issue an order in Case No. GE-08-273 granting the request of GTC-GTC, LLC, of Greeley, Colorado, to discontinue business at Falkirk, North Dakota, effective June 9, 2008.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye".

Case No. PU-08-229
Midcontinent Communications /
United Telephone
Interim Interconnection Agreement
Application

Mrs. Wefald: I move the Commission issue a Notice of Opportunity to File Written Comments in the application for approval of an interconnection agreement negotiated between Midcontinent Communications and United Telephone Mutual Aid Corporation, Case No. PU-08-229.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye".

New Employee

Mr. Cramer: I move the Commission acknowledge the offer to and acceptance of Annette Bendish to fill PSC Position No. 5029, Attorney I, effective June 9, 2008, under the terms specified in the May 23, 2008 written offer of employment.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye".

Retirement

Mr. Cramer: I move that the Commission acknowledge the retirement of William W. Binek, Chief Counsel effective July 5, 2008.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye".

Performance Bonuses

Mr. Cramer: I move the Commission award a performance bonus to the employees in position numbers 4996, 5030, 5019, 5011, 5018, consistent with the Executive Director's written summary of the Commission's 13 June 2008 working session.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye".

ATTEST

THE COMMISSION ADJOURNED AT 11:10 A.M.

Executive Director

SUSAN E. WEFALD, PRESIDENT