

November 20, 2008

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on November 20, 2008, 10:00 a.m. Present were Commissioners Wefald, Cramer and Clark.

Minutes

Mr. Cramer: I move the minutes of November 5, 2008 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:

Leo Praus – 12/08 advance	391.50
Alltel	317.24
Gratech Company, Ltd.	80,675.61
Zones	1,828.20
Fireside Office Solutions	26.25
AVI Systems, Inc.	28,325.77
ND State Board of Law Examiners	780.00
N R Construction	4,822.09
Presort Plus	21.31
ND Newspaper Association	537.46
Thompson Hine	5,000.00
Attorney General's Office	902.60
ITD – 10/08 dp	3,281.32
ITD – 10/08 ph chg	1,627.42
OMB – 10/08 supplies	655.22
DOT – 10/08	16,215.49
OMB – 09 Workers Compensation Premium	6,356.89

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-07-74
Northern States Power Company
Temporary Daylight Savings Time
Modifications
Tariff

Mr. Cramer: I move the Commission approve the electric service tariff changes to recognize the permanency of extended daylight savings time under the federal Energy Policies Act of 2005, Case No. PU-07-74.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-08-862
Otter Tail Corporation
Electric Rate Increase
Application

Mr. Cramer: I move the Commission suspend Otter Tail Corporation's rates filed with its Electric Rate Increase application, Case No. PU-08-862.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-08-24
Midcontinent Communications/
ND Telephone Co
Rural Exemption
Investigation

Mr. Cramer: I move the Commission acknowledge the request of Midcontinent Communications' to withdraw its request for hearing to determine whether to terminate the exemption of North Dakota Telephone Company concerning the provision of facilities based interconnection for the Rugby exchange, Case No. PU-08-24.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-08-25
Midcontinent Communications/
United Tele Mutual Aid Corp
Rural Exemption
Investigation

Mr. Cramer: I move the Commission acknowledge the request of Midcontinent Communications' to withdraw its request for hearing to determine whether to terminate the exemption of United Telephone Mutual Aid Corporation concerning the provision of wholesale resale of telecommunications services for the Langdon and Walhalla exchanges and the provision of facilities based interconnection for the for the Langdon and Walhalla exchanges, Case No. PU-08-25.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-08-58
Midcontinent Communications/
BEK Communications
Interconnection Arbitration
Application

Mr. Cramer: I move the Commission acknowledge the request of Midcontinent Communications' to withdraw its petition to arbitrate open issues on a facilities based interconnection agreement with BEK Communications Cooperative for the Lehr, Linton, Napoleon, Wilton, Wishek, and Zeeland exchanges, Case No. PU-08-58.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-08-866
Jacee Lynn Lund
Auctioneer License
Cancellation

Mr. Cramer: I move the Commission issue an order in Case No. AU-08-866 canceling auctioneer license number 860 issued to Jacee Lynn Lund, Mandan, North Dakota.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-08-742
Otter Tail Corporation
Renewable Resource Cost Recovery
Rider 2009
Tariff

Mrs. Wefald: I move the commission issue a Notice of Opportunity for Hearing, Case No. PU-08-742

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-08-862
Otter Tail Corporation
Electric Rate Increase
Application

Mrs. Wefald: I move the Commission appoint Annette Bendish, Jerry Lein, and Mike Diller as advocacy staff in Otter Tail Corporation's Electric Rate Increase Application, Case No. PU-08-862.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-08-884
Electric Demand Side Management
Rulemaking

Mrs. Wefald: I move the Commission announce a workshop scheduled to begin January 5, 2009 at 1:30 pm CST in the Commission Hearing Room to explore policies and methodology for evaluating electric utility energy efficiency and load management programs, Case No. PU-08-884, Electric Demand Side Management Rulemaking.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-08-867
Montana-Dakota Utilities Co.,
a Division of MDU
December 2008
Cost of Gas - Natural Gas

Discussion Only

Case No. PU-08-869
Montana-Dakota Utilities Co.,
a Division of MDU
December 2008
Cost of Gas – Propane

Case No. PU-08-871
Pecan Pipeline (North Dakota), Inc.
12-inch Natural Gas Pipeline/
Mountrail Cty
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-08-871, Pecan Pipeline (North Dakota), Inc.'s proposed 12-inch natural gas pipeline in Mountrail and other counties.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. GS-08-821
2009 State Damage Prevention Grant
Application

Mr. Cramer: I move the North Dakota Public Service Commission submit the calendar year 2009 North Dakota State Damage Prevention Grant Application in the amount of \$100,000 to the Department of Transportation, Pipeline and Hazardous Materials Safety Administration, Case No. GS-08-821.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Probationary Period Completion

Mr. Cramer: I move the approval of a salary increase effective November 12, 2008 for Position No. 5003, upon the satisfactory completion of a six month probationary period, in an amount consistent with the terms set forth in the Commission's April 21, 2008 written offer of employment and the employee's April 23, 2008 written acceptance.

Mrs. Wefald: 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 deny the November 7, 2008 letter request of NSP to supplement the record in Case Number PU-07-776, Northern States Power Company Electric Rate Increase Application.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 11:54 A.M.

Executive Secretary

SUSAN E. WEFALD, PRESIDENT