

April 8, 2010

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on April 8, 2010, 10:00 a.m. Present were Commissioners Cramer, Clark and Kalk.

Minutes

Mr. Cramer: I move the minutes of March 24, 2010 be approved.

Mr. Kalk: 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:

Agri Industries, Inc.	1,263.90
Presort Plus	12.32
ND Newspaper Association	465.05
Wayne Grangaard	722.57
Phyllis G. Richter	1,166.19
JP Robbins	1,106.13
Leo D. Praus	355.26
Michael McNamee	1,362.70
Jerry Lein	589.58
Anthony T. Clark	92.70
Timothy Erdmann	1,459.50
Mark Knell	101.49
Guy Welch	15.00
Tim Oswald	7.50
Bruce Beechie	15.00
Stephan A. Schroeder	22.50
Minot Guaranty & Escrow Co.	1,500.00
OAH – 2/10	1,404.83
ITD – 2/10 phone	1,563.95

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-09-26  
Williams County Road 9  
2009 Phase 4 Construction  
Project

Mr. Cramer: I move the Commission close out Contract No. AM-579-09 with Material Testing Services, LLC, for completion of material testing and related services for the 2009 Williams County Road 9 Phase 4 AML project.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-10-82  
Jeffery A. Greig  
Auctioneer  
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Jeffery A. Greig, Rugby, North Dakota.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-10-83  
Jeffery A. Greig  
Auction Clerk  
License Application

Mr. Cramer: I move the Commission approve the auction clerk license application for Jeffery A. Greig, Rugby, North Dakota.  
Mr. Kalk: I second the motion.  
Roll Call: All voting "Aye."

Case No. AU-10-84  
Halvorson Boote Clerking  
(L Halvorson & A Boote)  
Auction Clerk  
License Application

Mr. Cramer: I move the Commission approve the auction clerk license application for Halvorson Boote Clerking (Louis Halvorson & Alan Boote), Binford, North Dakota.  
Mr. Kalk: I second the motion.  
Roll Call: All voting "Aye."

Case No. AU-10-85  
Harlan L. Hagelstrom Jr.  
Auctioneer  
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Harlan L. Hagelstrom Jr., Fort Lupton, Colorado.  
Mr. Kalk: I second the motion.  
Roll Call: All voting "Aye."

Case No. AU-10-86  
Harlan L. Hagelstrom Jr.  
Auction Clerk  
License Application

Mr. Cramer: I move the Commission approve the auction clerk license application for Harlan L. Hagelstrom Jr., Fort Lupton, Colorado.  
Mr. Kalk: I second the motion.  
Roll Call: All voting "Aye."

Case No. AU-10-87  
Allen J Merrill  
Auctioneer  
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Allen J Merrill, Grand Forks, North Dakota.  
Mr. Kalk: I second the motion.  
Roll Call: All voting "Aye."

Case No. AU-10-88  
Scott Richard Appelgate  
Auctioneer  
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Scott Richard Appelgate, Bismarck, North Dakota.  
Mr. Kalk: I second the motion.  
Roll Call: All voting "Aye."

Case No. AU-10-97  
Aaron McKee  
Auctioneer  
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Aaron McKee, Manhattan, Kansas.  
Mr. Kalk: I second the motion.  
Roll Call: All voting "Aye."

Case No. AM-09-582  
AML Maintenance  
2009 Construction  
Project

Mr. Cramer: I move the Commission authorize staff to write change orders to Contract No. AM-584-09 with Basaraba Excavating & Dirt Works, LLC to increase the amount of the contract by an additional \$40,000 for underground mine sinkhole filling work and to extend the contract until November 30, 2010.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-10-14  
Falkirk Mining Company  
Revision 19 to Permit NAFK-9503  
Approval

Mr. Cramer: I move the Commission approve scheduling of an Informal Conference on the application for Revision No. 19 to Surface Coal Mining Permit NAFK-9503 held by the Falkirk Mining Company.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-09-668  
Baldwin Wind, LLC  
99 MW Baldwin Wind Energy Center -  
Burleigh Cty.  
Siting Application

Mr. Clark: I move the Commission deem the application complete conditioned on filing of final turbine locations by May 13, 2010 and issue a Notice of Filing and Notice of Hearing in Case No. PU-09-668, Baldwin Wind, LLC's proposed Baldwin Wind Energy Center in Burleigh County, North Dakota.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. RR-10-27  
BNSF Railway Company  
Review of Private RR Crossings  
Application

Mr. Clark: I move the Commission adopt the Findings of Fact, Conclusions of Law, and Order in Case No. RR-10-27, BNSF Railway Company, Review of Private Railroad Crossings Application.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Testing and Safety Division Director  
Retirement

Mr. Kalk: I move the Commission acknowledge the retirement of Alan Moch effective May 31, 2010.

Mr. Clark: I second the motion.

Roll Call: Kalk, Clark voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 10:58 A.M.

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Executive Secretary

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KEVIN CRAMER, CHAIRMAN