

November 23, 2011

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on November 23, 2011, 10:00 a.m. Present were Commissioners Clark, Kalk and Cramer.

Minutes

Mr. Cramer: I move the minutes of November 10, 2011 be approved.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-686
Lake Region State College
1.6 MW Wind Turbine –
Ramsey County
Siting Application

Mr. Cramer: I move the Commission assess an additional filing fee of \$2,850, for a total filing fee of \$5,000, due upon filing of an application in Case No. PU-11-686, Lake Region State College's proposed 1.6 MW wind turbine project in Ramsey County, North Dakota.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-153
Otter Tail Power Company
Transmission Facility Cost Recovery
Rates

Mr. Cramer: Believing that there will be no prejudice to the rights of the parties or the public interest, and finding the cases involve similar questions of law and fact, I move the Commission consolidate for hearing Otter Tail Power Company, Transmission Facility Cost Recovery, Rates, Case No. PU-11-153 and Otter Tail Power Company, Transmission Facility Cost Recovery, Tariff, Case No. PU-11-682, under North Dakota Administrative Code section 69-02-04-04.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-569
Montana-Dakota Utilities Co.,
a Division of MDU
Lantz / Armstrong - Stark County
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. to extend electric service to Lantz/Armstrong at a location in Stark County, North Dakota, Case No. PU-11-569.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-618
Otter Tail Power Company
Alton Theede - Richland County
Public Convenience & Necessity

Mr. Cramer: I move the Commission adopt the Order and issue a Certificate of Public Convenience and Necessity authorizing Otter Tail Power Company to extend electric service to Alton Theede at a location in Richland County, North Dakota, Case No. PU-11-618.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-619
Otter Tail Power Company
Dakota Midland Grain –
McHenry County
Public Convenience & Necessity

Mr. Cramer: I move the Commission adopt the Order and issue a Certificate of Public Convenience and Necessity authorizing Otter Tail Power Company to extend electric service to Dakota Midland Grain at a location in McHenry County, North Dakota, Case No. PU-11-619.

Mr. Kalk: I second the motion.
Roll Call: All voting "Aye."

Case No. PU-11-622
Otter Tail Power Company
Bryan Marohl - Richland County
Public Convenience & Necessity

Mr. Cramer: I move the Commission adopt the Order and issue a Certificate of Public Convenience and Necessity authorizing Otter Tail Power Company to extend electric service to Bryan Marohl at a location in Richland County, North Dakota, Case No. PU-11-622.

Mr. Kalk: I second the motion.
Roll Call: All voting "Aye."

Case No. PU-11-633
Otter Tail Power Company
Zimny Oil Service - Bottineau County
Public Convenience & Necessity

Mr. Cramer: I move the Commission adopt the Order and issue a Certificate of Public Convenience and Necessity authorizing Otter Tail Power Company to extend electric service to Zimny Oil Service at a location in Bottineau County, North Dakota, Case No. PU-11-633.

Mr. Kalk: I second the motion.
Roll Call: All voting "Aye."

Case No. PU-11-635
Montana-Dakota Utilities Co.,
a Division of MDU
Verizon Wireless - Williams County
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. to extend electric service to Verizon Wireless at a location in Williams County, North Dakota, Case No. PU-11-635.

Mr. Kalk: I second the motion.
Roll Call: All voting "Aye."

Case No. PU-11-636
Montana-Dakota Utilities Co.,
a Division of MDU
Verizon Wireless at Ray –
Williams County
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. to extend electric service to Verizon Wireless Ray at a location in Williams County, North Dakota, Case No. PU-11-636.

Mr. Kalk: I second the motion.
Roll Call: All voting "Aye."

Case No. AM-10-37
Buechler/Velva
2010 Construction
Project

Mr. Cramer: I move the Commission acknowledge that all construction work at the 2010 Buechler/Velva AML Construction Project has been completed under terms of the Tender Agreement and close out the completion contract with Kern & Tabery, Inc.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-11-27
Beulah/Zap
2011 Phase 12 Construction
Project

Mr. Cramer: I move the Commission close-out Contract No. AM-607-11 with GEOSERV, Inc. for completion of material testing and other services associated with the 2011 Beulah/Zap Phase 12 AML project.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-11-28
Columbus
2011 Phase 12 Construction
Project

Mr. Cramer: I move the Commission close-out Contract No. AM-609-11 with Gary Morlock Construction, Inc. for completion of construction services associated with the 2011 Columbus Phase 12 AML project.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-646
Wilton Wind IV, LLC
99 MW Wind Energy Center –
Burleigh County
Siting Application

Mr. Clark: I move the Commission deem the application complete, conditioned on receiving final turbine locations at least one week prior to hearing, and issue a Notice of Filing and Notice of Hearing in the application of Wilton Wind IV, LLC for a certificate of site compatibility to authorize construction of a proposed 99 MW Wilton IV Wind Energy Center in Burleigh County, North Dakota, Case No. PU-11-646.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-662
Allete Clean Energy, Inc.
100 MW Clean Energy #1 Wind
Project - Mercer & Morton Counties
Siting Application

Mr. Clark: 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 thirty days, and assess a filing fee of \$100,000 due upon filing an application in Case No. PU-11-662, Allete, Inc.'s proposed 100 MW Clean Energy #1 Wind Project in Mercer and Morton Counties of North Dakota.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-153
Otter Tail Power Company
Transmission Facility Cost Recovery
Rates

Mr. Kalk: I move the Commission issue a Notice of Filing, Notice of Hearing, and Notice of Intervention Deadline for Otter Tail Power Company's application for a transmission cost recovery rate, Case No. PU-11-153, and a transmission cost recovery tariff, Case No. PU-11-682.

Case No. PU-11-682
Otter Tail Power Company
Transmission Facility Cost Recovery
Tariff

Mr. Cramer: I second the motion.
Roll Call: All voting "Aye."

Case No. PU-11-683
ONEOK Rockies Midstream, L.L.C.
Stateline to Riverview NGL Pipeline -
Williams County
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 siting application to thirty days and assess a filing fee of \$30,000 due upon filing of an application in Case No. PU-11-683, ONEOK Rockies Midstream, L.L.C.'s proposed 12.4-mile, 10-inch natural gas liquids pipeline in Williams County, North Dakota.

Mr. Kalk: I second the motion.
Roll Call: All voting "Aye."

Post Probationary Period Salary
Adjustment

Mr. Cramer: I move the approval of a salary increase effective November 15, 2010 for Position No. 27148, upon the satisfactory completion of a 12 month probationary period, in an amount consistent with the terms set forth in the Commission's October 29, 2010 offer of employment plus \$76 as budgeted during the last general salary increase.

Mr. Kalk: I second the motion.
Roll Call: All voting "Aye."

AML Construction Inspector

Mr. Cramer: I move the Commission extend the seasonal part-time employment of Raymond Kelsch as a Construction Inspector for the AML Division for another 30 days, ending no later than December 30, 2011.

Mr. Kalk: I second the motion.
Roll Call: All voting "Aye."

Case No. PU-11-606
Enbridge Pipelines (North Dakota) LLC
Little Muddy Station Connection
Project - Williams County
Siting Application

Mr. Cramer: I move the Commission retain Mitchell D. Armstrong to provide legal services to assist the Commission in processing Case No. PU-11-606, Enbridge Pipelines (North Dakota), LLC - Little Muddy Station Connection Project - Williams, County, Siting Application.

Mr. Kalk: I second the motion.
Roll Call: All voting "Aye."

Post Evaluation Period Salary
Adjustment

Mr. Cramer: I move the approval of a salary increase effective November 1, 2011 for the employee in Position No. 5027, upon the satisfactory completion of a six month evaluation period, in an amount consistent with the terms set forth in the Accounting/Budget Specialist's written summary of the Commission's May 25, 2011 work session.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 11:10 A.M.

Executive Secretary

TONY CLARK, CHAIRMAN