

August 1, 2012

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on August 1, 2012, 10:00 a.m. Present were Commissioners Kalk and Cramer. Commissioner Fetch participated by telephone and authorized her administrative assistant to sign orders and contracts on her behalf.

Minutes

Mr. Cramer: I move the minutes of July 11, 17, 2012 be approved.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-206  
Missouri Valley Communications, Inc.  
Switched Access  
Price Schedule

Mr. Cramer: I move the Commission adopt the Order on VoIP-PSTN Price Schedules approving the VoIP-PSTN price schedules as proposed by the Companies herein, Case No. PU-12-206, PU-12-208, PU-12-210, PU-12-213, PU-12-217, and PU-12-233.

Case No. PU-12-208  
Nemont Telephone Cooperative, Inc.  
Switched Access  
Price Schedule

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-210  
Northwest Communications  
Cooperative, a Cooperativ  
Switched Access  
Price Schedule

Case No. PU-12-213  
Reservation Telephone Cooperative  
Switched Access  
Price Schedule

Case No. PU-12-217  
Wolverton Telephone Company  
Switched Access  
Price Schedule

Case No. PU-12-233  
Dickey Rural Access, Inc.  
Switched Access  
Price Schedule

Case No. PU-10-630  
Plains Pipeline, L.P.  
Crude Oil Pipeline - Williams County  
Siting Application

Mr. Cramer: I move the Commission acknowledge the July 13, 2012 staff approval of a route deviation requested on July 6, 2012 by Plains Pipeline, L.P. for the construction of a 32.1 mile, 12.75 inch outside diameter, crude oil pipeline in Williams County of North Dakota, Case No. PU-10-630.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-361  
Montana-Dakota Utilities Co.,  
a Division of MDU  
Cogeneration/Small Power Producer  
Rates

Mr. Cramer: I move the Commission approve Montana-Dakota Utilities Co.'s updated Cogeneration/Small Power Producer rates, Case No. PU-12-361.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-430  
Otter Tail Power Company  
Lance Meyer- Richland County  
Public Convenience & Necessity

Mr. Cramer: I move the Commission issue a Notice of Opportunity for Hearing in the application of Otter Tail Power Company to extend electric service to Lance Meyer at a location in Richland County, North Dakota, Case No. PU-12-430.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-12-436  
Larry's Seed & Ag Supply Inc  
Roving Grain Buyer - Keene, ND  
Discontinue Business

Mr. Cramer: I move the Commission adopt an order in Case No. GE-12-436 cancelling roving grain buyer license number 3125 issued to Larry's Seed & Ag Supply, Inc. of Keene, North Dakota, and ordering that all North Dakota roving grain buyer activities be discontinued.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-452  
Montana-Dakota Utilities Co.,  
a Division of MDU  
Optional Seasonal General Gas  
Service  
Tariff

Mr. Cramer: I move the Commission approve Montana-Dakota Utilities Co.'s revised tariff for optional seasonal general gas service customers, Case No. PU-12-452.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-12-581  
Central Plains Ag Services, LLC  
Roving Grain Buyer - Hannaford, ND  
Discontinue Business

Mr. Cramer: I move the Commission adopt an order in Case No. GE-12-581 cancelling roving grain buyer license number 3174 issued to Central Plains Ag Services, LLC of Hannaford, North Dakota, and ordering that all North Dakota roving grain buyer activities be discontinued.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-59  
Northern States Power Company  
Advance Determination of Prudence -  
Geronimo Wind  
Application

Mr. Kalk: I move the Commission issue a Notice of Hearing concerning Northern States Power Company's request for advance determination of prudence for its proposed Purchase Power Agreement for 200 megawatts of wind energy from Geronimo Wind Energy LLC, Case No. PU-12-59.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-70  
Northern States Power Company  
Advance Determination of Prudence -  
Manitoba Hydro  
Application

Mr. Kalk: I move the Commission adopt the Order in Northern States Power Company's application for advance determination of prudence for three power purchase agreements and associated transactions with the Manitoba Hydro Electric Board, Case No. PU-12-70.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-73  
Dickey Rural Telephone Cooperative  
Designated Eligible Carrier  
Application

Mr. Kalk: I move the Commission adopt the Order designating Dickey Rural Telephone Cooperative as an eligible telecommunications carrier in the Gwinner, Lisbon, Ashley, Edgeley, Ellendale, Forman, Kulm, LaMoure, and Oakes exchange areas in North Dakota.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-500  
True Wireless, LLC  
Designated Eligible Carrier  
Application

Mr. Kalk: I move the Commission issue a Notice of Opportunity for Hearing concerning True Wireless, LLC's application to be designated as an eligible carrier for the purpose of receiving federal universal service support, Case No. PU-12-500.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-398  
Great River Energy  
230 kV Transmission Line-  
Grand Forks - Devils Lake  
Siting Application

Mr. Kalk: 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 45 days, and assess a filing fee of \$14,450 due upon filing an application in Case No. PU-12-398, Great River Energy's proposed reroute of two transmission line segments totaling approximately 4 miles in length and located along its Grand Forks to Devils Lake 230 kV transmission line.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-509  
Basin Electric Power Cooperative  
45 mW Pioneer Generation Station -  
Williams County  
Siting Application

Mr. Kalk: 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 30 days, and assess a filing fee of \$51,000 due upon filing an application in Case No. PU-12-509, Basin Electric's 90 MW addition to its Pioneer Generation Station in Williams County, North Dakota

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-09-731  
Montana-Dakota Utilities Co.,  
a Division of MDU  
Discontinue Prudence Big Stone II  
Application

Mr. Kalk: I move the Commission approve rates filed by Montana-Dakota Utilities Co. to recover Big Stone II development costs, Case Nos. PU-09-731 and PU-09-733.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-09-733  
Montana-Dakota Utilities Co.,  
a Division of MDU  
Deferred Accounting - Big Stone II  
Application

Case No. GS-12-37  
Vern Maddox  
Damage Prevention Enforcement

Mr. Kalk: I move the Commission adopt the Consent Order in the Public Service Commission's damage prevention enforcement action concerning Vern Maddox, Case No. PU-12-37.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-486  
Willow Grove: Halliday, LLC  
CO2 Pipeline Project - Dunn 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 a siting application to thirty days, and assess a filing fee of \$15,000 due upon filing an application in Case No. PU-12-486, Willow Grove: Halliday LLC's proposed carbon dioxide pipeline in Dunn County, North Dakota.

Ms. Fetch: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-10-218  
BakkenLink Pipeline, LLC  
Crude Oil Pipeline –  
Williams to Billings Counties  
Siting Application

Mr. Cramer: I move the Commission issue a Notice of Filings, Notice of Informal Hearing and Notice of Opportunity for Hearing in the applications for an amended certificate of corridor compatibility, an amended route permit, and application for waivers of procedures and time schedules concerning the construction by BakkenLink Pipeline LLC of approximately 144 miles of crude oil pipeline in Billings, Dunn, McKenzie, Stark and Williams Counties, North Dakota, Case No. PU-10-218.

Ms. Fetch: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-10-554  
Hiland Operating, LLC  
6-Inch Natural Gas Liquids Pipeline  
Siting Application

Mr. Cramer: I move the Commission issue a Notice of Filings, Notice of Informal Hearing and Notice of Opportunity for Hearing in the applications for an amended certificate of corridor compatibility, an amended route permit, and application for waivers of procedures and time schedules concerning Hiland Operating, LLC's 6-inch natural gas liquids pipeline project in McKenzie County, North Dakota, Case No. PU-10-554.

Ms. Fetch: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-422  
MDU / Mor-Gran-Sou Electric  
Cooperative  
City of Mandan Area  
Service Area Agreement

Ms. Fetch: I move the Commission issue a Notice of Filing, Notice of Informal Hearing and Notice of Opportunity For Hearing in the joint application of Montana-Dakota Utilities Company and Mor-Gran-Sou Electric Cooperative, Inc. for approval of an electric service area agreement and resulting issuance of a certificate of public convenience and necessity to establish and designate service locations to be served by MDU and Mor-Gran-Sou within and around the city of Mandan, North Dakota, Case Nos. PU-12-422 and PU-12-515.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-515  
Montana-Dakota Utilities Co.,  
a Division of MDU  
City of Mandan - Service Area  
Agreement  
Public Convenience & Necessity

Case No. GE-12-579  
CHS, Inc.  
Facility-Based Grain Buyer  
Discontinue Business

Ms. Fetch: I move the Commission adopt an order in Case No. GE-12-579 cancelling facility-based grain buyer license numbers 2066 and 2081 respectively issued to CHS, Inc., St. Paul, Minnesota, at the Richardton and Kintyre, North Dakota locations and ordering that business at Richardton and Kintyre, North Dakota is discontinued effective immediately.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-12-580  
Cow Chow Corporation  
License No. 622 - Regent, ND  
Discontinue Business

Ms. Fetch: I move the Commission adopt an order in Case No. GE-12-580 cancelling warehouse license number 622 issued to Cow Chow Corporation at Regent, North Dakota and ordering that business at Regent is discontinued effective immediately.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-12-588  
Central Plains Ag Services, LLC  
Grain Warehouse - Hannaford, ND  
License Application

Ms. Fetch: I move the Commission adopt an order in Case No. GE-12-588 granting the request of Central Plains Ag Services, LLC to operate a 3,207,000-bushel grain warehouse at Hannaford, North Dakota.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-12-640  
O'Brien Seed, Inc.  
License No. 1188 - Rhame, ND  
Discontinue Business

Ms. Fetch: I move the Commission adopt an order in Case No. GE-12-640 cancelling warehouse license number 1188 issued to O'Brien Seed, Inc. at Rhame, North Dakota and ordering that business at Rhame is discontinued effective immediately.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-12-642  
Falkirk Farmers Elevator Co  
License No. 1175 - Hazen, ND  
Discontinue Business

Ms. Fetch: I move the Commission adopt an order in Case No. GE-12-642 cancelling warehouse license number 1175 issued to Falkirk Farmers Elevator Co at Hazen, North Dakota and ordering that business at Hazen is discontinued effective immediately.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-12-644  
Walhalla Bean Company  
License No. 1234 - Fairdale, ND  
Discontinue Business

Ms. Fetch: I move the Commission issue an order in Case No. GE-12-644 cancelling warehouse license number 1234 issued to Walhalla Bean Company at Fairdale, North Dakota and ordering that business at Fairdale is discontinued effective immediately.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-10-657  
Northern States Power Company  
2011 Electric Rate Increase  
Application

HOLD OVER

Case No. PU-11-55  
Northern States Power Company  
2012 Electric Rate Increase  
Application

Case No. PU-11-557  
Northern States Power Company  
Customer Credit - DOE Settlement  
Application

New Hire - Gas Pipeline Safety  
Inspector/Program Manager

Mr. Cramer: I move the Commission acknowledge the offer to and acceptance of Aaron A. Morman to fill Position No. 5005, Gas Pipeline Safety Inspector/Program Manager, effective August 1, 2012, under the terms specified in the July 10, 2012 written offer of employment.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Appointment to the Organization of  
MISO States Board of Directors and  
Eastern Interconnection States  
Planning Council

Mr. Cramer: I move the Commission appoint Commission Chairman Brian P. Kalk to represent the North Dakota Public Service Commission on the Board of Directors of the Organization of MISO States, Inc. (OMS).

I further move the Commission appoint Commission Chairman Brian P. Kalk to represent the North Dakota Public Service Commission on the Eastern Interconnection States Planning Council (EISPC).

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

GE-12-78  
Anderson Seed Co., Inc.  
Grain Warehouse  
Insolvency

Ms. Fetch: I move the Commission acknowledge the pending request to discontinue business of Anderson Seed Co., Inc. of Mentor, Minnesota, the expiration of public warehouse license numbers 1132 and 1153 by operation of law on July 31, 2012 under North Dakota Century Code section 60-02-07, and the automatic discontinuance of business on August 1, 2012, under North Dakota Admin. Code section 69-07-02-03.

GE-12-645  
Anderson Seed Co., Inc.  
Grain Warehouse  
Discontinue Business

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-12-122  
Legumex Walker Sunflower, LLC  
Grain Warehouse  
License Application

Ms. Fetch: I move the Commission adopt an order in Case No. GE-12-122 granting the request of Legumex Walker Sunflower, LLC to operate a 305,000-bushel grain warehouse at Durbin, North Dakota and a 347,000-bushel grain warehouse at Selz, North Dakota, effective immediately.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 11:20 A.M.

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Executive Secretary

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BRIAN P. KALK, CHAIRMAN