

August 13, 2012

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on August 13, 2012, 10:00 a.m. Present were Commissioners Kalk, Cramer, and Fetch.

Case No. AD-12-653
2013 - 2015
Budget

Mr. Kalk: I move the Commission submit the 2013 - 2015 budget to the Office of Management and Budget in accordance with the Governor's guidelines.

Ms. Fetch: I second the motion.

Roll Call: All voting "Aye."

Case No. AD-12-653
2013 - 2015
Budget

Mr. Kalk: I move the Commission submit the 2013 - 2015 Information Technology Plan to the Information Technology Department.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-433
AT&T Communications of the
Midwest, Inc.
v. YMax Communications Corp.
Complaint

Mr. Kalk: I move the Commission issue a Notice of Hearing in the complaint of AT&T Communications of the Midwest, Inc. vs YMAX Communications Corp. regarding the price for VoIP-PSTN traffic access functions, Case No. PU-12-433.

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

Ms. Fetch: I move the Commission issue a Notice of Hearing, in Northern States Power Company's electric rate increase applications and Customer Credit-DOE Settlement, Case Nos. PU-10-657, PU-11-55 and PU-11-557.

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

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

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

Case No. GE-12-665
Walker Seeds Ltd
Roving Grain Buyer –
Tisdale, Sask., Canada
Discontinue Business

Ms. Fetch: I move the Commission adopt an order in Case No. GE-12-665 cancelling roving grain buyer license number 3095 issued to Walker Seeds Ltd. of Tisdale, Saskatchewan, Canada, and ordering that all North Dakota roving grain buyer activities be discontinued effective August 1, 2012.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-12-666
James Valley Grain, LLC
Facility-Based Grain Buyer - Verona
Discontinue Business

Ms. Fetch: I move the Commission adopt an order in Case No. GE-12-666 cancelling facility-based grain buyer license number 2155 issued to James Valley Grain, LLC at Verona, North Dakota and ordering that business at Verona is discontinued effective August 1, 2012.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-12-667
Central Valley Bean Cooperative
License No. 1258 - Larimore, ND
Discontinue Business

Ms. Fetch: I move the Commission issue an order in Case No. GE-12-667 cancelling warehouse license number 1258 issued to Central Valley Bean Cooperative at Larimore, North Dakota and ordering that business at Larimore is discontinued effective immediately.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-12-658
Alliance Valley Bean, LLC
Grain Warehouse
License Application

Ms. Fetch: I move the Commission adopt an order in Case No. GE-12-658 granting the request of Alliance Valley Bean, LLC to operate a 423,000-bushel grain warehouse at Larimore, North Dakota and a 74,000-bushel grain warehouse at Sharon, North Dakota, effective immediately.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-12-670
Archer Daniels Midland Co.
License No. 1093 - Underwood, ND
Discontinue Business

Ms. Fetch: I move the Commission issue an order in Case No. GE-12-670 cancelling warehouse license number 1093 issued to Archer Daniels Midland Co. at Underwood, North Dakota and ordering that business at Underwood is discontinued effective August 7, 2012.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-12-671
Walsh Grain Terminal, LLC
Roving Grain Buyer - Park River, ND
Discontinue Business

Ms. Fetch: I move the Commission adopt an order in Case No. GE-12-671 cancelling roving grain buyer license number 3182 issued to Walsh Grain Terminal, LLC of Park River, North Dakota, and ordering that all North Dakota roving grain buyer activities be discontinued effective August 1, 2012.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-12-674
Walsh Grain Terminal, LLC
Grain Warehouse - Park River, ND
License Application

Ms. Fetch: I move the Commission adopt an order in Case No. GE-12-674 granting the request of Walsh Grain Terminal, LLC to operate a 1,800,000-bushel grain warehouse at Park River, North Dakota, effective August 1, 2012.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-12-678
Demeter (1993) Inc. dba Viterra
Grain Warehouse
License Application

Ms. Fetch: I move the Commission adopt an order in Case No. GE-12-678 granting the request of Demeter (1993) Inc. dba Viterra to operate an 894,000-bushel grain warehouse at Carrington, North Dakota and a 331,000-bushel grain warehouse at Crystal, North Dakota, effective August 1, 2012.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-12-679
Falkirk Farmers Elevator Co
License No. 128 - Falkirk, ND
Suspension

Ms. Fetch: I move the Commission, under North Dakota Century Code § 60-02-09.1, adopt the Order Suspending Warehouse License Number 128 of Falkirk Farmers Elevator Co. at their Falkirk, North Dakota warehouse, effective August 8, 2012, for lack of adequate bond, and issue a Notice of Opportunity to be Heard in Case No. GE-12-679.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-12-136
PICO Northstar Hallock, LLC
Roving Grain Buyer - Kennedy, MN
License Application

Ms. Fetch: I move the Commission approve the roving grain buyer license application in Case No. GE-12-136 for PICO Northstar Hallock, LLC doing business as Northstar Agri Industries of Kennedy, Minnesota, effective immediately.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-231
MDU / Burke-Divide Electric
Cooperative
City of Kenmare
Service Area Agreement

Ms. Fetch: I move the Commission adopt the Order Approving Electric Service Area Agreement in the joint application of Montana-Dakota Utilities Co. and Burke-Divide Electric Cooperative for approval of a service area agreement and the resulting issuance of a certificate of public convenience and necessity to establish locations and designate service locations to be served by MDU and Burke-Divide within and around the city of Kenmare, North Dakota, Case No. PU-12-231 and PU-12-232.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-232
Montana-Dakota Utilities Co.,
a Division of MDU
City of Kenmare -
Service Area Agreement
Public Convenience & Necessity

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Case No. GE-12-679
Falkirk Farmers Elevator Co
License No. 128 - Falkirk, ND
Suspension

Ms. Fetch: I move the Commission, under North Dakota Century Code § 60-02-10.1, adopt the Order Authorizing Limited Operations, as requested by Falkirk Farmers Elevator Co. in Case No. GE-12-679.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 10:53 A.M.

Executive Secretary

BRIAN P. KALK, CHAIRMAN