

October 24, 2012

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on October 24, 2012, 10:00 a.m. Present were Commissioners Kalk, Cramer, and Fetch.

Minutes

Mr. Kalk: I move the minutes of October 10, 2012 be approved.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-07-180  
Northern States Power Company  
2006 Gas  
Annual Report

Mr. Kalk: I move the Commission close Northern States Power Company's Gas Operations Annual Reports, Case Nos. PU-07-180, PU-09-712, PU-09-192, PU-10-152, PU-11-148, PU-12-351.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-09-712  
Northern States Power Company  
2007 Natural Gas  
Annual Report

Case No. PU-09-192  
Northern States Power Company  
2008 Natural Gas and Electric  
Annual Report

Case No. PU-10-152  
Northern States Power Company  
2009 Natural Gas  
Annual Report

Case No. PU-11-148  
Northern States Power Company  
2010 Natural Gas  
Annual Report

Case No. PU-12-351  
Northern States Power Company  
2011 Natural Gas  
Annual Report

Case No. PU-12-685  
Missouri Valley Communications, Inc.  
Williston Rate Center  
Numbering Resources

Mr. Kalk: I move the Commission adopt the Order Granting Trade Secret Protection as requested by Missouri Valley Communications, Inc., Williston Rate Center, Numbering Resources, Case No. PU-12-685.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-533  
New Cingular Wireless PCS, LLC  
2011 High-Cost Universal Service  
Support  
Annual Report

Mr. Kalk: I move the Commission adopt the Order Granting Trade Secret Protection as requested on behalf of the named companies in the captioned High-Cost Universal Service Support Annual Report cases for 2011 and 2012.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-504  
New Cingular Wireless PCS, LLC  
2012 High-Cost Universal Services  
Support  
Annual Report

Case No. PU-12-402  
Red River Rural Telephone Association  
2012 High-Cost Universal Services  
Support  
Annual Report

Mr. Kalk: I move the Commission adopt the Order Granting Trade Secret Protection as requested on behalf of Red River Rural Telephone Association and Loretel Systems, Inc., in the captioned High-Cost Universal Service Support Annual Report cases for 2012.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-403  
Loretel Systems, Inc.  
2012 High-Cost Universal Services  
Support  
Annual Report

Case No. PU-12-349  
North Dakota Telephone Company  
2012 High-Cost Universal Service  
Support  
Annual Report

Mr. Kalk: I move the Commission adopt the Order Granting Trade Secret Protection as requested on behalf of the named companies who are members of the Rural Telephone Company Group, in the captioned High-Cost Universal Service Support Annual Report cases for 2012.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-374  
Dakota Central Telecommunications  
Cooperative  
2012 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-12-401  
Polar Communications Mutual Aid  
Corporation  
2012 High-Cost Universal Services  
Support  
Annual Report

Case No. PU-12-421  
West River Telecommunications  
Cooperative  
2012 High-Cost Universal Service  
Support  
Annual Report

Motion Continued

Case No. PU-12-480  
Midstate Communications Inc.  
2012 High-Cost Universal Services  
Support  
Annual Report

Case No. PU-12-481  
Midstate Telephone Company  
2012 High-Cost Universal Services  
Support  
Annual Report

Case No. PU-12-482  
Griggs County Telephone Co.  
2012 High-Cost Universal Services  
Support  
Annual Report

Case No. PU-12-483  
Moore and Liberty Telephone  
Company  
2012 High-Cost Universal Services  
Support  
Annual Report

Case No. PU-12-487  
United Telephone Mutual Aid  
Corporation  
2012 High-Cost Universal Services  
Support  
Annual Report

Case No. PU-12-488  
Turtle Mountain Communications, Inc.  
2012 High-Cost Universal Services  
Support  
Annual Report

Case No. PU-12-489

Motion Continued

BEK Communications Cooperative  
2012 High-Cost Universal Services  
Support  
Annual Report

Case No. PU-12-491

Inter-Community Telephone Company,  
L.L.C.  
2012 High-Cost Universal Services  
Support  
Annual Report

Case No. PU-12-493

Dickey Rural Telephone Cooperative  
2012 High-Cost Universal Services  
Support  
Annual Report

Case No. PU-12-496

Northwest Communications  
Cooperative, a Cooperativ  
2012 High-Cost Universal Services  
Support  
Annual Report

Case No. PU-12-498

Consolidated Telcom  
2012 High-Cost Universal Services  
Support  
Annual Report

Case No. PU-12-502

Reservation Telephone Cooperative  
2012 High-Cost Universal Services  
Support  
Annual Report

Case No. PU-12-503

Wolverton Telephone Company  
2012 High-Cost Universal Services  
Support  
Annual Report

Case No. PU-12-505  
Polar Telcom, Inc.  
2012 High-Cost Universal Services  
Support  
Annual Report

Motion Continued

Case No. PU-12-511  
Sagebrush Cellular, Inc.  
2012 High-Cost Universal Services  
Support  
Annual Report

Case No. PU-12-512  
Nemont Telephone Cooperative, Inc.  
2012 High-Cost Universal Services  
Support  
Annual Report

Case No. PU-12-513  
Missouri Valley Communications, Inc.  
2012 High-Cost Universal Services  
Support  
Annual Report

Case No. PU-12-652  
Dakota Central Telecom I, Inc.  
2012 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-12-654  
Halstad Telephone Company  
2012 High-Cost Universal Service  
Support  
Annual Report

Case No. PU-09-670  
Minnkota Power Cooperative, Inc.  
345 kV Transmission Line –  
Center to Grand Forks  
Siting Application

Mr. Kalk: I move the Commission acknowledge the October 22, 2012 staff approval of Minnkota Power Cooperative, Inc.'s request for four structure location changes on its 345 kV electric transmission line being constructed from Center to Grand Forks, North Dakota, Case No. PU-09-670.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-10-637  
Rangeland Pipeline, LLC  
Crude Oil Pipeline - Williams County  
Siting Application

Mr. Kalk: I move the Commission acknowledge the October 10, 2012, staff approval for Rangeland Pipeline, LLC to proceed with construction at the Dry Fork Station in Williams County, North Dakota, in the area of damage to a third-party underground facility, Case No. PU-10-637.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-232  
Enbridge Pipelines (North Dakota) LLC  
Berthold Station Expansion Project  
Siting Application

Mr. Kalk: I move the Commission acknowledge the October 9, 2012 staff approval of a route modification requested on October 1, 2012 by Enbridge Pipelines (North Dakota) LLC for the construction of its Berthold Station Expansion Project in Ward County, North Dakota, Case No. PU-11-232.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-686  
Montana-Dakota Utilities Co.,  
a Division of MDU  
Ryan and Denise Pfeifer -  
Emmons County  
Public Convenience & Necessity

Mr. Kalk: 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 Ryan and Denise Pfeifer at a location in Emmons County, North Dakota, Case No. PU-12-686.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-693  
Otter Tail Power Company  
Rural Tower Network - Barnes County  
Public Convenience & Necessity

Mr. Kalk: 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 Rural Tower at a location in Barnes County, North Dakota, Case No. PU-12-693.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. RR-12-746  
Cargill Incorporated  
Rail Clearance Variance - Wahpeton  
Application

Mr. Kalk: I move the Commission adopt the Order granting the request of Cargill Incorporated for a variance from the rail clearance standards prescribed by Section 49-10.1-13 of the North Dakota Century Code in Cargill Incorporated, Rail Clearance Variance, Wahpeton, Application, Case Number RR-12-746.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-12-776  
Wade R. Entze  
Auctioneer License  
Revocation

Mr. Kalk: I move the Commission issue an order in Case No. AU-12-776 revoking auctioneer license number 581 issued to Wade R. Entze of Golden Valley, North Dakota effective October 18, 2012 for failing to maintain an adequate bond filing.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-702  
Otter Tail Power Company  
2013 Transmission Facility Cost  
Recovery  
Rates

Mr. Kalk: I move the Commission issue a Notice of Filing and Notice of Opportunity for Hearing for Otter Tail Power Company's annual transmission cost recovery rider rate update, Case No. PU-12-702.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-768  
New Frontier Midstream, L.L.C.  
Natural Gas Liquids Pipeline -  
Stark, Billings, Golden Valley Counties  
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 three months, and assess a filing fee of \$100,000 due upon filing an application in Case No. PU-12-768, New Frontier Midstream's proposed natural gas liquids pipeline in Stark, Billings, and Golden Valley Counties, North Dakota.

Ms. Fetch: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-775  
Basin Transload, LLC  
10-Inch Crude Oil Pipeline –  
Burke 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 four weeks, and assess a filing fee of \$22,500 due upon filing an application in Case No. PU-12-775, Basin Transload's crude oil pipeline in Burke County, North Dakota.

Ms. Fetch: I second the motion.

Roll Call: All voting "Aye."

Resignation  
Environmental Engineer

Mr. Cramer: I move the Commission accept, with regret, the resignation of Matt Klingenstein effective November 20, 2012.

Ms. Fetch: I second the motion.

Roll Call: All voting "Aye."

Personnel

Mr. Cramer: I move the Commission acknowledge the probationary employment termination of position number 5009 effective the end of the authorized work day on October 23, 2012.

Ms. Fetch: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-07-759  
Northern States Power Company  
Fargo - St. Cloud MN 345 Kv CapX  
Transmission Line  
Siting Application

Mr. Cramer: I move the Commission convene an executive session for attorney consultation regarding the appeal in Northern States Power Company, Fargo to St. Cloud MN., 345 Kv CapX Transmission Line, Sting Application, Case No. PU-07-759.

Ms. Fetch: I second the motion.

Roll Call: Mr. Kalk "Aye."

Mr. Cramer "Aye"

Ms. Fetch "Aye"

Executive Meeting

The Commission convened in Executive Session at 10:26 a.m. Present were Commissioners, Kalk, Cramer, Fetch and Illona Jeffcoat-Sacco, Mitch Armstrong, Mark Gruman, Darrell Nitschke, Esther Jangula. The Executive Session adjourned at 11:00 a.m. The Commission reconvened the Administrative Matters Meeting at 11:00 a.m.

ATTEST

THE COMMISSION ADJOURNED AT 11:01 A.M.

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Executive Secretary

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BRIAN P. KALK, CHAIRMAN