

December 12, 2012

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on December 12, 2012, 10:00 a.m. Present were Commissioners Kalk, Cramer, and Fetch.

Minutes

Mr. Kalk: I move the minutes of November 9, 28, December 5, 2012 be approved.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-650  
Otter Tail Power Company  
Dale Pedersen - Griggs 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 Dale Pedersen at a location in Griggs County, North Dakota, Case No. PU-11-650.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-12-82  
Columbus Phase 13 Construction  
Project

Mr. Kalk: I move the Commission close out Contract No. AM-636-12 with Baranko Bros. Inc. for completion of the 2012 Columbus Phase 13 abandoned mine lands construction project.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-12-83  
Columbus Phase 14 Construction  
Project

Mr. Kalk: I move the Commission close out Contract No. AM-638-12 with Riley Bros. Construction, Inc. for completion of the 2012 Columbus Phase 14 abandoned mine lands construction project.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-12-84  
Maintenance  
Project

Mr. Kalk: I move the Commission close out Contract No. AM-639-12 with Ross Smith, dba Earthworm Excavating, for completion of abandoned underground mine sinkhole filling and other work as part of AML's 2012 maintenance project.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-796  
Otter Tail Power Company  
Ronald Prochnow- Richland County  
Public Convenience & Necessity

Mr. Kalk: I move the Commission issue a Notice of Opportunity for Hearing in the application of Otter Tail Power Company to extend electric service to Ronald Prochnow at a location in Richland County, North Dakota, Case No. PU-12-796.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-12-805  
Downs, Inc.  
Roving Grain Buyer - Langdon, ND  
Discontinue Business

Mr. Kalk: I move the Commission adopt an order in Case No. GE-12-805 cancelling roving grain buyer license number 3161 issued to Downs, Inc. of Langdon, North Dakota, and ordering that all North Dakota roving grain buyer activities be discontinued.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-12-802  
Downs Brokerage, Inc.  
Roving Grain Buyer - Langdon, ND  
License Application

Mr. Kalk: I move the Commission approve the roving grain buyer license application in Case No. GE-12-802 for Downs Brokerage, Inc. of Langdon, North Dakota.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-650  
Otter Tail Power Company  
Dale Pedersen - Griggs 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 Dale Pedersen at a location in Griggs County, North Dakota, Case No. PU-11-650.

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 adopt the Order adopting the Hearing Officer's December 6, 2012 Recommended Findings of Fact, Conclusions of Law and Recommended Order in the applications of Great River Energy for a waiver of procedures and time schedules, a corridor certificate and route permit for the rerouting of two segments of 230 kV electric transmission line in Ramsey and Nelson Counties of North Dakota, Case No. PU-12-398.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-707  
Budget PrePay, Inc.  
Designated Eligible Carrier  
Application

Mr. Kalk: I move the Commission adopt the Order on Eligible Telecommunications Carrier Designation to designate Budget PrePay, Inc. as an eligible telecommunications carrier for the purpose of receiving federal universal service support for low-income consumers, Case No. PU-12-707.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-747  
Bismarck MSA Limited Partnership  
Designated Eligible Carrier  
Cancellation / Application

Mr. Kalk: I move the Commission adopt the Order on Eligible Telecommunications Carrier Designation permitting Bismarck MSA Limited Partnership to relinquish its designation as an eligible telecommunications carrier, Case No. PU-12-747.

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 adopt the Order on Settlement concerning a Reliability Performance Plan in Northern States Power Company's 2011 electric rate increase application, Case No. PU-10-657, Northern States Power Company's 2012 electric rate increase application, Case No. PU-11-55, and Northern States Power Company's Customer Credit – DOE Settlement application, Case No. PU-11-557.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

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

Case No. GE-12-774  
Archer Daniels Midland Co.  
Grain Warehouse - Leal, ND  
License Application

Ms. Fetch: I move the Commission adopt an order in Case No. GE-12-774 granting the request of ADM-Benson Quinn, a division of Archer Daniels Midland Company of Decatur, Illinois to operate a 779,000-bushel grain warehouse at Leal, North Dakota.

Mr. Cramer: 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 approve Amendment No. 1 negotiated to extend the term of the Electric Service Area Agreement designating service locations to be served by Montana-Dakota Utilities Co. and Burke-Divide Electric Cooperative MDU within and around the city of Kenmare, North Dakota, Case No. PU-12-231.

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

Ms. Fetch: I move the Commission adopt the Order concerning Otter Tail Power Company's transmission facility cost recovery annual rate update, Case No. PU-12-702.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 11:49 A.M.

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Executive Secretary

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BRIAN P. KALK, CHAIRMAN