

June 5, 2013

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on June 5, 2013, 10:00 a.m. Present were Commissioners Kalk, Christmann, and Fedorchak.

Minutes

Mr. Kalk: I move the minutes of May 22, 23, 28, 29, 2013 be approved.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-69
Meadowlark Wind I, LLC
New Frontier Wind Energy Project -
McHenry County
Siting Application

Mr. Kalk: I move the Commission execute a 2-year contract extension with Carlson McCain, Inc. for construction inspection services concerning Meadowlark Wind I, LLC's construction of the 102 MW New Frontier Wind Energy Project in McHenry County, North Dakota, Case No. PU-11-69.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-162
Allete, Inc.
Bison 3 Wind Project –
Oliver - Morton Counties
Siting Application

Mr. Kalk: I move the Commission execute a two-year contract extension with Keitu Engineers & Consultants, Inc. for construction inspection services concerning ALLETE, Inc.'s construction of the 105 MW Bison 3 Wind Project in Morton and Oliver Counties, North Dakota, Case No. PU-11-162.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-561
Oliver Wind III, LLC
48 MW Wind Energy Center –
Morton County
Siting Application

Mr. Kalk: I move the Commission execute a 2-year contract extension with Carlson McCain, Inc. for construction inspection services concerning Oliver Wind III, LLC's construction of a 48 MW Wind Energy Center in Morton County, North Dakota, Case No. PU-11-561.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-620
Allete, Inc.
230 kV Transmission Line -
Mercer, Morton, Oliver Counties
Siting Application

Mr. Kalk: I move the Commission execute a two-year contract extension with Wenck Associates, Inc. for construction inspection services concerning ALLETE, Inc's construction of a 230 kV transmission Line and associated facilities in Mercer, Morton and Oliver Counties of North Dakota, Case No. PU-11-620.

Mr. Christmann: 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. Kalk: I move the Commission execute a two-year contract extension with Keitu Engineers & Consultants, Inc. for construction inspection services concerning Wilton Wind IV, LLC's construction of the 99 megawatt Wilton IV Wind Energy Center in Burleigh County, North Dakota, Case No. PU-11-646.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-13-262
Joel W Marreel
Auctioneer
License Application

Mr. Kalk: I move the Commission approve the auctioneer license application for Joel W. Marreel, Hooper, Nebraska.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-13-263
Lynn R. Kongsle
Auctioneer
License Application

Mr. Kalk: I move the Commission approve the auctioneer license application for Lynn R. Kongsle, Towner, North Dakota.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-13-264
Lynn R. Kongsle
Auction Clerk
License Application

Mr. Kalk: I move the Commission approve the auction clerk license application for Lynn R. Kongsle, Towner, North Dakota.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

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

Mr. Kalk: I move the Commission execute a two-year contract extension with Keitu Engineers & Consultants, Inc. for construction inspection services concerning Plains Pipeline, L.P.'s construction of a 32.1 mile, 12.75 inch outside diameter, crude oil pipeline in Williams County, North Dakota, Case No. PU-10-630.

Mr. Christmann: 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 execute a two-year contract extension with Keitu Engineers & Consultants, Inc. for construction inspection services concerning Rangeland Pipeline, LLC's construction of approximately 20 miles of crude oil pipeline in Williams County, North Dakota, Case No. PU-10-637.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-66
Bear Paw Energy, LLC
Garden Creek to Riverview NGL
Pipeline, McKenzie
Siting Application

Mr. Kalk: I move the Commission execute a two-year contract extension with Keitu Engineers & Consultants, Inc. for construction inspection services concerning Bear Paw Energy, LLC's construction of a 10-inch natural gas liquids pipeline located in McKenzie County, North Dakota, Case No. PU-11-66.

Mr. Christmann: 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 execute a two-year contract extension with ProSource Technologies, Inc. for construction inspection services concerning Enbridge Pipelines (North Dakota) LLC's construction of its Berthold Station Expansion Project in Ward County, North Dakota, Case No. PU-11-232.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-605
Enbridge Pipelines (North Dakota) LLC
Grenora Station Upgrade Project -
Williams County
Siting Application

Mr. Kalk: I move the Commission execute a two-year contract extension with Wenck Associates, Inc. for construction inspection services concerning Enbridge Pipelines (North Dakota) LLC's construction of the Grenora Station Upgrade Project in Williams County, North Dakota, Case No. PU-11-605.

Mr. Christmann: 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. Kalk: I move the Commission execute a two-year contract extension with Wenck Associates, Inc. for construction inspection services concerning Enbridge Pipelines (North Dakota) LLC's construction of the Little Muddy Station Connection Project in Williams County, North Dakota, Case No. PU-11-606.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-40
Plains Pipeline, L.P.
Nelson to Ross Pipeline –
Mountrail County
Siting Application

Mr. Kalk: I move the Commission execute a two-year contract extension with Carlson McCain, Inc. for construction inspection services concerning Plains Pipeline L.P.'s construction of 17 miles of 10.75-inch crude oil pipeline in Mountrail County, North Dakota, Case No. PU-12-40.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-680
Montana-Dakota Utilities Co.,
a Division of MDU
Natural Gas Pipeline –
Morton County
Siting Application

Mr. Kalk: I move the Commission execute a contract with Wenck Associates, Inc. for construction inspection services concerning Montana Dakota Utilities Co.'s proposed 24-mile 10-inch diameter natural gas pipeline in Morton County, North Dakota, Case No. PU-11-680.

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

Case No. PU-12-675
Basin Transload, LLC
10-Inch Crude Oil Pipeline –
Mercer County
Siting Application

Mr. Kalk: I move the Commission execute a contract with Wenck Associates, Inc. for construction inspection services concerning Basin Transload LLC's proposed crude oil pipeline in Mercer County, North Dakota, Case No. PU-12-675.

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

Case No. PU-13-22
Dakota Gasification Company
10" Natural Gas Pipeline –
Mercer County
Siting Application

Mr. Kalk: I move the Commission execute a contract with Wenck Associates, Inc. for construction inspection services concerning Dakota Gasification Company's construction of a 3.5-mile 10-inch diameter natural gas pipeline in Mercer County, North Dakota, Case No. PU-13-22.

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

Case No. PU-12-800
S. J. Louis Construction, Inc.
Damage Prevention Enforcement

Mr. Kalk: I move the Commission adopt the Consent Order in the Public Service Commission's damage prevention enforcement action concerning S. J. Louis Construction, Inc., Case No. PU-12-800.

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

Case No. PU-13-108
BEK Communications Cooperative
Switched Access
Price Schedule

Case No. PU-13-109
Consolidated Telcom
Switched Access
Price Schedule

Case No. PU-13-110
Dakota Central Telecommunications
Cooperative
Switched Access
Price Schedule

Case No. PU-13-111
Dakota Central Telecom I, Inc.
Switched Access
Price Schedule

Case No. PU-13-112
Dickey Rural Telephone Cooperative
Switched Access
Price Schedule

Case No. PU-13-113
Griggs County Telephone Co.
Switched Access
Price Schedule

Case No. PU-13-114
Inter-Community Telephone Company,
L.L.C.
Switched Access
Price Schedule

Case No. PU-13-115
Missouri Valley Communications, Inc.
Switched Access
Price Schedule

Case No. PU-13-116
Moore and Liberty Telephone
Company
Switched Access
Price Schedule

Mr. Kalk: I move the Commission adopt the Findings of Fact, Conclusions of Law and Order concerning the proposed switched access price schedules of BEK Communications Cooperative, Case No. PU-13-108; Consolidated Telcom, Case No. PU-13-109; Dakota Central Telecommunications Cooperative, Case No. PU-13-110; Dakota Central Telecom I, Inc., Case No. PU-13-111; Dickey Rural Telephone Cooperative, Case No. PU-13-112; Griggs County Telephone Co., Case No. PU-13-113; Inter-Community Telephone Company, L.L.C., Case No. PU-13-114; Missouri Valley Communications, Case No. PU-13-115; Moore and Liberty Telephone Company, Case No. PU-13-116; Nemont Telephone Cooperative, Case No. PU-13-117; North Dakota Telephone Company, Case No. PU-13-118; Northwest Communications Cooperative, a Cooperative Association, Case No. PU-13-119; Polar Communications Mutual Aid Corporation, Case No. PU-13-120; Red River Rural Telephone Association, Case No. PU-13-121; Reservation Telephone Cooperative, Case No. PU-13-122; Turtle Mountain Communications, Inc., Case No. PU-13-123; United Telephone Mutual Aid Corporation, Case No. PU-13-124; West River Telecommunications Cooperative, Case No. PU-13-125; and Wolverton Telephone Company, Case No. PU-13-126.

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

Case No. PU-13-117
Nemont Telephone Cooperative, Inc.
Switched Access
Price Schedule

Motion Continued

Case No. PU-13-118
North Dakota Telephone Company
Switched Access
Price Schedule

Case No. PU-13-119
Northwest Communications
Cooperative, a Cooperativ
Switched Access
Price Schedule

Case No. PU-13-120
Polar Communications Mutual Aid
Corporation
Switched Access
Price Schedule

Case No. PU-13-121
Red River Rural Telephone Association
Switched Access
Price Schedule

Case No. PU-13-122
Reservation Telephone Cooperative
Switched Access
Price Schedule

Case No. PU-13-123
Turtle Mountain Communications, Inc.
Switched Access
Price Schedule

Case No. PU-13-124
United Telephone Mutual Aid
Corporation
Switched Access
Price Schedule

Case No. PU-13-125
West River Telecommunications
Cooperative
Switched Access
Price Schedule

Case No. PU-13-126
Wolverton Telephone Company
Switched Access
Price Schedule

Motion Continued

Case No. AM-13-94
Scranton/Bowman Construction
Project

Mr. Christmann: I move the Commission execute a contract with B & C Concrete Pumping, Inc. in the amount of \$882,655.00 for construction services at the 2013 Scranton/Bowman AML Project in Adams and Bowman Counties.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-13-95
Beulah/Zap Phase 14 Construction
Project

Mr. Christmann: I move the Commission execute a contract with B & C Concrete Pumping, Inc. in the amount of \$951,500.00 for construction services at the 2013 Beulah/Zap Phase 14 AML Project in Mercer County.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-13-192
Northwood Bean Co., Inc.
License No. 1136 - Northwood, ND
Suspension

Mr. Christmann: I move the Commission adopt the Order Reinstating Warehouse License Number 1136 of Northwood Bean Co., Inc. at its Northwood, North Dakota warehouse, effective May 20, 2013 in Case No. GE-13-192.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-675
Basin Transload, LLC
10-Inch Crude Oil Pipeline –
Mercer County
Siting Application

Ms. Fedorchak: I move the Commission deem complete the applications of Basin Transload, LLC for a corridor certificate, a route permit and for a waiver of procedures and time schedules concerning the construction of a 4-mile 10-inch diameter crude oil pipeline in Mercer County, North Dakota, and issue a Notice of Filings and Notice of Hearing in Case No. PU-12-675.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-153
Enbridge Pipelines (ND)/Enbridge
Pipelines(Bakken)
Transfer of Corridor Certificate &
Route Permit
Siting Application

Ms. Fedorchak: I move the Commission adopt the Order Reissuing Certificate and Permit in the joint application of Enbridge Pipelines (ND) and Enbridge Pipelines (Bakken) L.P. to transfer Certificate of Corridor Compatibility Number 118 and Route Permit Number 128 from Enbridge Pipelines (ND) to Enbridge Pipelines (Bakken) L.P. Case No. PU-13-153.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-303
Kindred Plumbing and Heating
Damage Prevention Enforcement

Mr. Kalk: I move the Commission cancel the June 14, 2013 public hearing in Public Service Commission, Kindred Plumbing and Heating, Inc., Damage Prevention Enforcement, Case No. PU-12-303.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 11:38 A.M.

Executive Secretary

BRIAN P. KALK, CHAIRMAN