

June 19, 2013

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on June 19, 2013, 10:00 a.m. Present were Commissioners Kalk, Christmann, and Fedorchak.

Minutes

Mr. Kalk: I move the minutes of June 5, 2013 be approved.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

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 June 14, 2013 staff approval of five transmission line structure relocations along Minnkota Power Cooperative, Inc.'s 345 kV electric transmission line being constructed from Center to Grand Forks, North Dakota, Case No. PU-09-670.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-13-301
Fred Kraft
Auctioneer
License Application

Mr. Kalk: I move the Commission approve the auctioneer license application for Fred Kraft, Bismarck, North Dakota.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-13-275
Nebraska Bean, Inc.
Roving Grain Buyer - Clearwater, NE
License Application

Mr. Kalk: I move the Commission approve the roving grain buyer license application in Case No. GE-13-275 for Nebraska Bean, Inc. of Clearwater, Nebraska.

Mr. Christmann: 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. Kalk: I move the Commission execute a two-year contract extension with Kadrmas, Lee and Jackson for construction inspection services concerning BakkenLink Pipeline, LLC's construction of approximately 144 miles of crude oil pipeline in Billings, Dunn, McKenzie, Stark and Williams Counties, North Dakota, Case No. PU-10-218.

Mr. Christmann: 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. Kalk: I move the Commission execute a two-year contract extension with E3 Environmental, LLC for construction inspection services concerning Hiland Operating, LLC's construction of approximately 14.1 miles of, 6-inch natural gas liquids pipeline and associated facilities in McKenzie County, North Dakota, Case No. PU-10-554.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-261
Otter Tail Power Company
Ed Shago - 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 Ed Shago at a location in Richland County, North Dakota, Case No. PU-13-261.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-286
Otter Tail Power Company
David Ward - 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 David Ward at a location in Richland County, North Dakota, Case No. PU-13-286.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-601
Thunder Spirit Wind, LLC
150 MW Wind Energy Project –
Adams County
Siting Application

Mr. Kalk: I move the Commission deem the application complete conditioned on receiving final turbine locations one week prior to hearing and issue a Notice of Filing and Notice of Hearing in the application of Thunder Spirit Wind, LLC for a certificate of site compatibility to construct a proposed 150 MW Thunder Spirit Wind Energy Project in Adams County, North Dakota, Case No. PU-11-601.

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 adopt the Consent Order in the Public Service Commission's damage prevention enforcement action concerning Kindred Plumbing and Heating, Case No. PU-12-303.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-799
S. J. Louis Construction, Inc.
Damage Prevention Enforcement

Mr. Kalk: I move the Commission find the May 10, 2013 Complaint filed by the North Dakota Public Service Commission Advocacy Staff states a prima facie case, serve the complaint on the Respondent, S. J. Louis Construction, Inc., and issue a Notice of Hearing in Case No. PU-12-799.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-194
Northern States Power Company
Advance Determination of Prudence -
NG Generators
Application

Mr. Kalk: I move the Commission issue a Notice of Filings and Notice of Intervention Deadline concerning Northern States Power Company's application for advance determination of prudence to add three natural-gas-fired combustion turbine generators to its system, Case No. PU-13-194, and Northern States Power Company's application for a certificate of public convenience and necessity to the two natural-gas-fired combustion turbine generators to be constructed near Hankinson, North Dakota, Case No. PU-13-195.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-195
Northern States Power Company
Red River Valley NG Units 1 & 2 -
Hankinson, ND
Public Convenience & Necessity

Case No. PU-13-203
Boomerang Wireless, LLC
Designated Eligible Carrier
Application

Mr. Kalk: I move the Commission issue a Notice of Opportunity for Hearing concerning Boomerang Wireless, LLC's application to be designated as an eligible carrier for the purpose of receiving federal universal service support for Lifeline service, Case No. PU-13-203.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

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

Mr. Christmann: I move the Commission execute a contract with Northeast Technical Services in the amount of \$25,400 for material testing 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 Northeast Technical Services in the amount of \$35,300 for material testing at the Beulah/Zap Phase 14 AML Project in Mercer County.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-13-96
Maintenance
Project

Mr. Christmann: I move the Commission execute a contract with Pleasant & Sons Construction, Inc. in the amount of \$100,000 for filling sinkholes caused by abandoned underground coal mines in western North Dakota.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-13-104
Coteau Properties Company
Renewal No. 6, Permit NACT-8203
Approval

Mr. Christmann: I move the Commission approve Renewal No. 6 to Surface Coal Mining Permit No. NACT-8203, held by The Coteau Properties Company, to extend the permit term another five years, until July 5, 2018.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-10-124
Montana-Dakota Utilities Co.,
a Division of MDU
Electric Rate Increase
Application

Ms. Fedorchak: I move the Commission approve Montana-Dakota Utilities Co.'s 2012 Earnings Sharing Adjustment, Case No. PU-10-124.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-141
Montana-Dakota Utilities Co.,
a Division of MDU
City of Dickinson - Service Area
Agreement
Public Convenience & Necessity

Ms. Fedorchak: I move the Commission adopt the Order Approving Electric Service Area Agreement and issue Certificate of Public Convenience and Necessity No. 5811 to Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., in the joint application of Montana-Dakota Utilities Company and Roughrider Electric Cooperative, Inc. for approval of an electric service area agreement to establish and designate service locations to be served by MDU and Roughrider within and around the city of Dickinson, North Dakota, Case Nos. PU-13-141 and PU-13-142.

Mr. Kalk: 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

Ms. Fedorchak: I move the Commission deem the amendment to the applications for a corridor certificate and route permit do not materially affect the applications and that a rehearing in Case No. PU-11-680, Montana Dakota Utilities Co.'s proposed 24-mile 10-inch diameter natural gas pipeline in Morton County, North Dakota is not required.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-601
Thunder Spirit Wind, LLC
150 MW Wind Energy Project –
Adams County
Siting Application

Mr. Kalk: I move the Commission retain Zachary Pelham to provide legal services to assist the Commission in processing Case No. PU-11-601, Thunder Spirit Wind, LLC, 150 MW Wind Energy Project - Adams County, Siting Application.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 12:18 P.M.

Executive Secretary

BRIAN P. KALK, CHAIRMAN