

July 30, 2013

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on July 30, 2013, 10:00 a.m. Present were Commissioners Kalk, Christmann, and Fedorchak.

Minutes

Mr. Kalk: I move the minutes of July 10, 18, 2013 be approved.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-09-370
CPV Ashley Renewable Energy
Company, LLC
Ashley Wind Power - Power Project -
McIntosh County
Siting Application

Mr. Kalk: I move the Commission issue an application fee refund to CPV Ashley Renewable Energy Company, LLC, in the amount of \$93,463.09, Case No. PU-09-370.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. GS-10-602
City of Granville
Gas Pipeline Safety
Violation

Mr. Kalk: I move the Commission close Case No. GS-10-602 and Case No. GS-11-687 concerning City of Granville Gas Pipeline Safety Violations.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. GS-11-687
City of Granville
Gas Pipeline Safety
Violation

Case No. PU-12-509
Basin Electric Power Cooperative
Pioneer Generation Station –
Williams County
Siting Application

Mr. Kalk: I move the Commission approve the addition of a second 2,000 gallon anhydrous ammonia storage tank located adjacent to the first tank within the existing project area for Certificate of Site Compatibility No. 33 issued to Basin Electric for its Pioneer Generation Station under construction in Williams County, North Dakota, Case No. PU-12-509.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-683
Siting - Letter of Intent - Repeal
Rulemaking

Mr. Kalk: I move the Commission issue a Notice informing interested parties that the North Dakota Legislative Council's Administrative Rules Committee will consider the Commission's request under N.D.C.C. section 28-32-18.1, to repeal N.D. Admin. Code Chapter 69-06-03, in Public Service Commission, Siting – Letter of Intent – Repeal, Rulemaking, Case No. PU-13-683.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-683
Hess Corporation
14" Crude Oil Pipeline –
Williams County
Siting Application

Mr. Kalk: I move the Commission amend the filing fee assessed in the application of Hess Corporation concerning a 14" crude oil pipeline in Williams County, North Dakota, from \$5,000 to \$51,000, Case No. PU-12-683.

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 adopt the Order and issue a Certificate of Public Convenience and Necessity authorizing 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 adopt the Order and issue a Certificate of Public Convenience and Necessity authorizing 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-13-664
Montana-Dakota Utilities Co.,
a Division of MDU
Killdeer Mountain Contracting –
Dunn County
Public Convenience & Necessity

Mr. Kalk: I move the Commission issue a Notice of Opportunity for Hearing in the application of Montana-Dakota Utilities Co. to extend electric service to Killdeer Mountain Contracting at a location in Dunn County, North Dakota, Case No. PU-13-664.

Mr. Christmann: 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. Kalk: I move the Commission issue a Notice of Filing, Notice of Informal Hearing and Notice of Opportunity for Hearing in the applications of Northern States Power Company for a waiver of procedures and time schedules, an amended corridor certificate and an amended route permit authorizing corridor and route modifications for five segments of its Fargo to St. Cloud MN 345 kV electric transmission project to be constructed in Cass County, North Dakota, Case No. PU-07-759.

Ms. Fedorchak: I second the motion.
Roll Call: All voting "Aye."

Case No. PU-11-696
Basin Electric Power Cooperative
345 kV Trans. Line - Mercer, Dunn,
McKenzie, Williams Counties
Siting Application

Mr. Kalk: I move the Commission deem the applications complete conditioned on receiving final transmission line structure locations one week prior to the hearing and issue a Notice of Filing and Notice of Hearings in the applications of Basin Electric Power Cooperative for a waiver of procedures and time schedules, a corridor certificate and a route permit to construct an AVS to Neset 345 kV electric transmission line and associated facilities extending from near Beulah to near Tioga, North Dakota, all within Mercer, Dunn, McKenzie, Williams and Mountrail Counties, Case No. PU-11-696.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-51
Telrite Corporation
Designated Eligible Carrier
Application

Mr. Kalk: I move the Commission adopt the Order on Eligible Telecommunications Carrier Designation to designate Telrite Corporation as an eligible telecommunications carrier for the purpose of receiving federal universal service support for low-income consumers, Case No. PU-13-51.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-103
Allete, Inc.
250kV DC Trans. Line Reroute –
Kidder & Stutsman Counties
Siting Application

Mr. Kalk: I move the Commission issue a Notice of Filing and Notice of Opportunity for Hearing in the application of ALLETE, Inc. for a waiver of procedures and time schedules, a corridor certificate and a route permit authorizing the reroute 0.7 miles of 250 kV DC Electric Transmission Line in Stutsman County, North Dakota, Case No. PU-13-103.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-12-736
Knife River Corporation
Bond Release 6, Permit KRGC-8101
Approval

Mr. Christmann: I move the Commission approve Bond Release No. 6 to Surface Coal Mining Permit No. KRGC-8101, held by Knife River Corporation for the Gascoyne Mine, to release all reclamation liabilities on 134.2 acres located in portions of Sections 27 and 34, T131N, R99W and Section 3, T130N, R99W, Bowman County. The amount of the bond release is \$133,089.73 and it will become effective August 30, 2013, unless a formal hearing is requested.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-13-548
Healthy Oilseeds, LLC
Grain Warehouse - Carrington, ND
License Application

Mr. Christmann: I move the Commission adopt an order in Case No. GE-13-548 granting the request of Healthy Oilseeds, LLC to operate a 19,000-bushel grain warehouse at Carrington, North Dakota.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-13-677
Farmers Elevator Co. of Honeyford
License No. 691 - Gilby, ND
Discontinue Business

Mr. Christmann: I move the Commission adopt an order in Case No. GE-13-677 cancelling warehouse license number 691 issued to Farmers Elevator Co. of Honeyford at Gilby, North Dakota and ordering that business at Gilby is discontinued effective June 27, 2013.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-13-678
Marlow R. & Sandy R. Werth
Roving Grain Buyer - Lehr, ND
Discontinue Business

Mr. Christmann: I move the Commission adopt an order in Case No. GE-13-678 cancelling roving grain buyer license number 3053 issued to Marlow R. and Sandy R. Werth of Lehr, North Dakota, and ordering that all North Dakota roving grain buyer activities be discontinued.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-13-679
Lehmann Grain, Inc.
Roving Grain Buyer - McClusky, ND
Discontinue Business

Mr. Christmann: I move the Commission adopt an order in Case No. GE-13-679 cancelling roving grain buyer license number 3054 issued to Lehmann Grain, Inc. of McClusky, North Dakota, and ordering that all North Dakota roving grain buyer activities be discontinued.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-13-682
St. Hilaire Seed Company, Inc.
Roving Grain Buyer - St. Hilaire, MN
License Application

Mr. Christmann: I move the Commission adopt an order in Case No. GE-13-682 granting the request of St. Hilaire Seed Company, Inc., St. Hilaire, Minnesota to operate as a roving grain buyer in North Dakota.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-13-680
Engstrom Bean and Seed, Inc.
License Nos. 1106 and 1163 –
Cando and Petersburg
Discontinue Business

Mr. Christmann: I move the Commission adopt an order in Case No. GE-13-680 cancelling warehouse license numbers 1106 and 1163 respectively issued to Engstrom Bean and Seed, Inc. at Cando and Petersburg, North Dakota and ordering that business at Cando and Petersburg is discontinued effective August 1, 2013.

Ms. Fedorchak: I second the motion.
Roll Call: All voting "Aye."

Case No. GE-13-681
St. Hilaire Seed Company, Inc.
Grain Warehouse - Cummings, ND
License Application

Mr. Christmann: I move the Commission adopt an order in Case No. GE-13-681 granting the request of St. Hilaire Seed Company, Inc. of St. Hilaire, Minnesota, to operate an 80,000-bushel grain warehouse at Cummings, North Dakota, effective immediately.

I further move the Commission grant the request of St. Hilaire Seed Company, Inc. to operate its grain warehouse at Cummings full time through harvest and on an as needed basis by appointment only for the remainder of the year.

Ms. Fedorchak: I second the motion.
Roll Call: All voting "Aye."

Case No. GE-13-694
Gussiaas Family Farm, Inc.
Roving Grain Buyer - Carrington, ND
Discontinue Business

Mr. Christmann: I move the Commission adopt an order in Case No. GE-13-694 cancelling roving grain buyer license number 3092 issued to Gussiaas Family Farm, Inc. of Carrington, North Dakota, and ordering that all North Dakota roving grain buyer activities be discontinued effective August 1, 2013.

Ms. Fedorchak: I second the motion.
Roll Call: All voting "Aye."

Case No. GE-13-695
Farmers Union Oil Company of Adams
License No. 1131 - Adams, ND
Discontinue Business

Mr. Christmann: I move the Commission adopt an order in Case No. GE-13-695 cancelling warehouse license number 1131 issued to Farmers Union Oil Company of Adams at Adams, North Dakota and ordering that business at Adams is discontinued effective August 1, 2013.

Ms. Fedorchak: I second the motion.
Roll Call: All voting "Aye."

Case No. GE-13-696
CHS, Inc.
Facility-Based Grain Buyer –
Adams, ND
License Application

Mr. Christmann: I move the Commission adopt an order in Case No. GE-13-696 granting the request of CHS, Inc. of St. Paul, Minnesota, to operate as a facility-based grain buyer at Adams, North Dakota, effective August 1, 2013.

Ms. Fedorchak: I second the motion.
Roll Call: All voting "Aye."

Case No. GE-13-697
American Bean, LLC
Grain Warehouse - Petersburg, ND
License Application

Mr. Christmann: I move the Commission adopt an order in Case No. GE-13-697 granting the request of American Bean, LLC to operate a 706,000-bushel grain warehouse at Petersburg, North Dakota, effective August 1, 2013.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-09-739
Otter Tail Power Company
Deferred Accounting - Big Stone II
Application

Ms. Fedorchak: I move the Commission approve Otter Tail Power Company's request to continue the Big Stone II Cost Recovery rates for an additional eight months in order to recover transmission costs that cannot be reassigned to any other project, Case Nos. PU-09-739 and PU-10-30.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-10-30
Otter Tail Power Company
Discontinue Prudence Big Stone II
Application

Case No. PU-13-551
Great Plains Natural Gas Co.
Hwy 13 Extension Surcharge &
Dekatherm Billing
Tariff

Ms. Fedorchak: I move the Commission issue a Notice of Opportunity for Hearing, Case No. PU 13-551.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Gas Pipeline Safety Inspector
New Hire

Mr. Kalk: I move the Commission acknowledge the offer to and acceptance of Clint D. Thomas to fill Position No. 40828866, Gas Pipeline Safety Inspector effective August 5, 2013, under the terms specified in the July 12, 2013 written offer of employment.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 11:49 A.M.

Executive Secretary

BRIAN P. KALK, CHAIRMAN