

December 30, 2013

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

Case No. PU-13-272
Montana-Dakota Utilities Co.,
a Division of MDU
345 kV Transmission Line –
Ellendale to SD Border
Public Convenience & Necessity

Mr. Kalk: I move the Commission issue an application fee refund to Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., in the amount of \$9,728.13, Case No. PU-13-272.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-273
Otter Tail Power Company
345 kV Transmission Line –
Ellendale to SD Border
Public Convenience & Necessity

Mr. Kalk: I move the Commission issue an application fee refund to Otter Tail Power Company, in the amount of \$9,728.14, Case No. PU-13-273.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-789
Qwest Corporation
PIDs & PAP
Revision

Mr. Kalk: I move the Commission adopt the Order in Case No. PU-13-789, Qwest Corporation's Performance Indicator Definitions and Performance Assurance Plan revisions.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-909
Midcontinent Comm. /
Consolidated Communications
Interconnection Agreement
Amendment
Application

Mr. Kalk: I move the Commission issue a Notice of Opportunity for Comment in the application for approval of an interconnection agreement amendment negotiated between Midcontinent Communications and Consolidated Communications Network, Inc., Case No. PU-13-909.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-12-769
Falkirk Farmers Elevator Company
Grain Warehouse
Insolvency

Mr. Christmann: I move the Commission file the First Report and Recommendation of Trustee with District Court, together with the corresponding Motion to Bifurcate Proceeding and Approve First Report and Recommendation of Trustee and Approve Credit-Sale Contract Indemnity Fund Payments, and related documents.

I further move that once the First Report and Recommendation is approved by the District Court, the Licensing Director be authorized to pay valid credit-sale contract indemnity claims as soon as possible, in Falkirk Farmers Elevator Co., Grain Warehouse, Insolvency, Case No. GE-12-769.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-83
Montana-Dakota Utilities Co.,
a Division of MDU
Environmental Cost Recovery
Rates

Ms. Fedorchak: I move the Commission approve Montana-Dakota Utilities Co.'s Environmental Cost Recovery Rider rate schedule and implementation date, Case Nos. PU-13-83 and PU-13-85.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-85
Montana-Dakota Utilities Co.,
a Division of MDU
Environmental Cost Recovery
Tariff

Case No. PU-13-755
Otter Tail Power Company
2014 Transmission Facility Cost
Recovery
Rates

Ms. Fedorchak: I move the Commission approve Otter Tail Power Company's 2014 Transmission Facility Cost Recovery Rates, Case No. PU-13-755.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-799
Dakota Prairie Refining, LLC /
Lario Shipping, LLC
Two Petroleum Product Pipelines -
Stark County
Siting Application

Ms. Fedorchak: I move the Commission adopt the Findings of Fact, Conclusions of Law and Order issuing Certificate of Corridor Compatibility No. 151, Route Permit No. 162 and Route Permit No. 163 to Dakota Prairie Refining, LLC and Lario Shipping, LLC for the construction of a 6-inch and an 8-inch refined petroleum products pipeline and associated facilities located in Stark County, North Dakota, Case No. PU-13-799.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-803
Montana-Dakota Utilities Co.,
a Division of MDU
Natural Gas Service Rate Increase
Application

Ms. Fedorchak: I move the Commission adopt the Order on Settlement approving the October 23, 2013 Settlement Agreement between Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc. and Commission Advocacy Staff in Montana-Dakota Utilities Co.'s Natural Gas Service Rate Increase Application, Case No. PU-13-803.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-803
Montana-Dakota Utilities Co.,
a Division of MDU
Natural Gas Service Rate Increase
Application

Ms. Fedorchak: I move the Commission issue a Notice of Hearing concerning rate design issues in Montana-Dakota Utilities Co.'s Natural Gas Service Rate Increase Application, Case No. PU-13-803.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-825
Bakken Oil Express, LLC
16-Inch Crude Oil Pipeline /
Dunn and Stark Counties
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-13-825, Bakken Oil Express, LLC's proposed 38-mile 16-inch diameter crude oil pipeline in Dunn and Stark Counties, North Dakota is not required.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-848
Enbridge Pipelines (North Dakota) LLC
24-Inch Crude Oil Pipeline –
Sandpiper Project
Siting Application

Ms. Fedorchak: I move the Commission deem complete the applications of Enbridge Pipelines (North Dakota) LLC for a corridor certificate, for a route permit, and for a waiver of procedures and time schedules contingent upon receiving from the applicant one week prior to the first hearing associated with this project the following: the Piping Plover Habitat Assessment Report, the Wetlands Delineation Survey Report, and the Grassland and Native Prairie Habitat Assessment Report; and further move the Commission issue a Notice of Filings and Notice of Hearings concerning the construction of a 299-mile, 24-inch crude oil pipeline in Williams, Mountrail, Ward, McHenry, Pierce, Towner, Ramsey, Nelson, and Grand Forks Counties of North Dakota, Case No. PU-13-848.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-874
Montana-Dakota Utilities Co.,
a Division of MDU
Ryan Aufforth - Burke County
Public Convenience & Necessity

Ms. Fedorchak: I move the Commission issue a Notice of Opportunity for Hearing in the application of Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc. to extend electric service to Ryan Aufforth at a location in Burke County, North Dakota, Case No. PU-13-874.

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

Case No. PU-13-79
Otter Tail Power Company
Environmental Cost Recovery
Tariff

Ms. Fedorchak: I move the Commission approve Otter Tail Power Company's Environmental Cost Recovery Rider rate schedule and implementation date, Case Nos. PU-13-79 and PU-13-84.

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

Case No. PU-13-84
Otter Tail Power Company
Environmental Cost Recovery
Rates

Case No. PU-13-825
Bakken Oil Express, LLC
16-Inch Crude Oil Pipeline /
Dunn and Stark Counties
Siting Application

Ms. Fedorchak: I move the Commission adopt the Findings of Fact, Conclusions of Law and Order and issue Certificate of Corridor Compatibility Number 150 and Route Permit Number 161 in Bakken Oil Express, LLC's combined application for a Certificate of Corridor Compatibility and Energy Transmission Facility Route Permit to authorize construction for a 38-mile, 16-inch diameter crude oil pipeline in Dunn and Stark Counties, North Dakota originating at a tanker truck unloading and pumping facility currently being constructed near Killdeer, North Dakota, and terminating at an existing Rail Hub facility, owned and operated by BOE, located to the southwest of Dickinson, North Dakota, Case No. PU-13-825.

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