

February 26, 2014

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on February 26, 2014, 10:00 a.m. Present were Commissioners Kalk, Christmann, and Fedorchak.

Minutes

Mr. Kalk: I move the minutes of February 12, 14, 2014 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 February 5, 2014 staff approval of a transmission line structure relocation in, Oliver County in Case No. PU-09-670, Minnkota Power Cooperative, Inc.'s 345 kV electric transmission line being constructed from Center to Grand Forks, North Dakota,

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-199
Montana-Dakota Utilities Co.,
a Division of MDU
Crescent Point Energy U.S. Inc.-
Divide County
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 \$19,835, Case No. PU-13-199.

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 & Stark Counties
Siting Application

Mr. Kalk: I move the Commission execute a contract with Prosource Technologies, LLC for construction inspection services concerning Bakken Oil Express, LLC's construction of a 38-mile crude oil pipeline originating at a tanker truck unloading and pumping facility currently being constructed near Killdeer in Dunn County, North Dakota and terminating at an existing rail hub facility southwest of Dickinson in Stark County, North Dakota, Case No. PU-13-825.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

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

Mr. Christmann: I move the Commission close out Contract No. 677-13 with B & C Concrete Pumping, Inc. and Contract No. 678-13 with Northeast Technical Services, Inc. for completion of work on the 2013 Scranton/Bowman AML Project.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-13-133
BNI Coal, Ltd.
Bond Release No. 4,
Permit BNCR-9401
Approval

Mr. Christmann: I move the Commission approve Bond Release No. 4 to Surface Coal Mining Permit No. BNCR-9401, held by BNI Coal, Ltd. for the Center Mine, to release all reclamation liabilities on 52.09 acres located in a portion of Section 5, T141N, R83W, Oliver County. No monetary release is being requested since the current bond amount is based on the worst-case reclamation condition for Permit BNCR-9401. The release will become effective March 28, 2014, unless a formal hearing is requested.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-14-38
2014-2017 ND Reclamation
Simplified Grant
Application

Mr. Christmann: I move the Commission approve the Beulah/Zap Phase 15, Scranton/Bowman Phase 2, Hazen West Phase 3 and 2014 Exploratory Drilling projects as the major projects for abandoned mine reclamation in 2014 and submit the 2014 - 2017 North Dakota Abandoned Mine Lands Reclamation Simplified Grant Application to the Office of Surface Mining to request \$3,382,106.31 in federal funds.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-813
Northern States Power Company
2013 Electric Rate Increase
Application

Ms. Fedorchak: I move the Commission adopt the Order Adopting Settlement in the captioned Case Nos. PU-12-813, PU-13-706, PU-13-707, PU-13-708, PU-13-742, PU-13-743, PU-13-194, PU-13-195.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

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

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

Case No. PU-13-706
Northern States Power Company
Advance Prudence - Courtenay Wind
Application

Case No. PU-13-707
Northern States Power Company
Advance Prudence –
Odell Wind Project
Application

Motion Continued

Case No. PU-13-708
Northern States Power Company
Advance Prudence - Pleasant Valley
Application

Case No. PU-13-742
Northern States Power Company
Advance Prudence - Border Winds
Application

Case No. PU-13-743
Northern States Power Company
150 MW Border Winds Project –
Rolette County, ND
Public Convenience & Necessity

Case No. PU-13-871
Montana-Dakota Utilities Co.,
a Division of MDU
Menard Inc. - Burleigh County, ND
Public Convenience & Necessity

Ms. Fedorchak: I move the Commission assess a filing fee of \$20,000 and issue a Notice of Hearing in the application of Montana-Dakota Utilities Co. to extend electric service to Menard Inc. at a location in Burleigh County, North Dakota, Case No. PU-13-871.

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 & Stark Counties
Siting Application

Ms. Fedorchak: I move the Commission adopt the Findings of Fact, Conclusions of Law and Order issuing First Amended Certificate of Corridor Compatibility No. 150 and First Amended Route Permit No. 161 to Bakken Oil Express, LLC, for the construction of a crude oil pipeline and associated facilities located in Dunn and Stark Counties, North Dakota, Case. No. PU-13-825.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

PSC Code of Conduct Policy
6-11-14(0)

Mr. Kalk: I move the Commission adopt Policy 6-11-14 (0), Code of Conduct. I further move that Policy 6-11-14 (0) be incorporated into the revised policy manual conditioned on and effective when the revised policy manual is formally adopted by the Commission.

PUBLIC SERVICE COMMISSION
CODE OF CONDUCT
Policy 6-11-14(0)

February 26, 2014

A. PURPOSE

The North Dakota Public Service Commission (PSC) is committed to adhering to the highest ethical standards. Employees are expected to act with integrity and professionalism. They must also, at a minimum, understand and abide by all policies, laws, and regulations. Their actions reflect upon the Commission and the great state of North Dakota.

B. DEFINITIONS (see specific policies)

C. POLICY

The PSC has a fiduciary responsibility to efficiently use resources while providing effective regulation to its stakeholders. Employees shall abide by Commission policies, including the following:

- Fraud Prevention (1-27)
- Conflicts, Gifts, and Gratuities (1-21)
- Substance Abuse (1-18)
- Sexual/Unlawful Harassment (3-15)
- Drug and Alcohol Misuse Prevention (5-03)

Specific reporting requirements may vary by policy; however, the following protocols apply in most cases. Employees who suspect violations under one of the above policies should inform their immediate supervisor or director. If the supervisor or director is the one suspected, the next higher level of authority within the Commission should be informed up to and including a Commissioner. If a Commissioner is suspected then the other Commissioner(s) should be notified. This policy does not prohibit prompt notification to appropriate authorities when an immediate threat to personal safety exists.

D. GUIDANCE: Through applicable standards and conduct of law, rules and commission policy.

E. APPLICABILITY: All employees.

F. EFFECTIVE DATE: March 1, 2014

G. NON-COMPLIANCE: Disciplinary actions up to and including termination, referral for criminal

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PSC Code of Conduct Policy
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prosecution, and restitution.

H. EXPLANATORY NOTE: None.

I. REVISION DATES: None.

REFERENCES

(0) PSC Minutes February 26, 2014

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 12:29 P.M.

Executive Secretary

BRIAN P. KALK, CHAIRMAN