

June 11, 2014

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on June 11, 2014, 10:00 a.m. Present were Commissioners Kalk, Christmann, and Fedorchak.

Minutes

Mr. Kalk: I move the minutes of May 28, 2014 be approved.

Ms. Fedorchak: 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 approve Dakota Gasification Company's April 29, 2014 request for permission to use an alternate seed mix for reclamation, Dakota Gasification Company, 10" Natural Gas Pipeline – Mercer County, Case No. PU-13-22.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-95  
Hess Corporation / Hess Tioga Gas  
Plant LLC  
Transfer of Route Permit  
Siting Application

Mr. Kalk: I move the Commission issue an application fee refund to the Hess Corporation, in the amount of \$9,846.97, Case Nos. PU-14-95 and PU-14-96.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-96  
Hess Corporation / Hess Tioga Gas  
Plant LLC  
Transfer of Corridor Certificate  
Siting Application

Case No. PU-14-215  
Montana-Dakota Utilities Co.,  
a Division of MDU  
Mark Feland- Morton County  
Public Convenience & Necessity

Mr. Kalk: I move the Commission adopt the Order and issue a Certificate of Public Convenience and Necessity authorizing Montana-Dakota Utilities Co., A division of MDU Resources Group, Inc. to extend electric service to Mark Feland at a location in Morton County, North Dakota, Case No. PU-14-215.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-240  
Otter Tail Power Company  
Paul Trom- 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 Paul Trom at a location in Richland County, North Dakota, Case No. PU-14-240.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-247  
Otter Tail Power Company  
Wade Wolf - Pierce 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 Wade Wolf at a location in Pierce County, North Dakota, Case No. PU-14-247.

Ms. Fedorchak: 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 to amend the October 9, 2013 order issuing Certificate of Site Compatibility Number 35 complete and issue a Notice of Filing, Notice of Informal Hearing and Notice of Opportunity for Hearing in the application for changes in the turbine site plan, Thunder Spirit Wind, LLC 150 MW Wind Energy Project - Adams County Siting Application, Case No. PU-11-601.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-39  
Northern States Power Company  
230 Kv Peace Garden Switching  
Station Transmission Line  
Public Convenience & Necessity

Mr. Kalk: I move the Commission adopt the Order Amending Certificate and issue First Amended Certificate of Public Convenience and Necessity No. 5465 to Northern States Power Company authorizing extension of facilities necessary for relocation of the 230 kV Peace Garden Switching Station approximately two miles North of its previously permitted location in Rolette County, North Dakota, Case No PU-12-39.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-14-41  
Hazen West Phase 3 Construction  
Project

Mr. Christmann: I move the Commission execute Contract No. AM-694-14 with Kern & Tabery, Inc. in the amount of \$1,153,100 for construction services at the Hazen West Phase 3 AML Project in Mercer County.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-14-43  
Beulah/Zap Phase 15 Construction  
Project

Mr. Christmann: I move the Commission execute Contract No. 696-14 with GEOSERV, Inc. in the amount of \$32,000 for material testing and other services for the 2014 Beulah/Zap Phase 15 AML Project in Mercer County.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-14-43  
Beulah/Zap Phase 15 Construction  
Project

Mr. Christmann: I move the Commission execute Contract No. AM-695-14 with B & C Concrete Pumping, Inc. in the amount of \$829,625 for drilling and pressurized grouting at the 2014 Beulah/Zap Phase 15 AML Project in Mercer County.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-14-99  
Coteau Properties Company  
Renewal No. 6 for Permit NACT-8401  
Approval

Mr. Christmann: I move the Commission approve Renewal No. 6 to Surface Coal Mining Permit No. NACT-8401, held by the Coteau Properties Company, to extend the permit term another five years, until July 3, 2019.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-14-261  
Dakota Spirit AgEnergy, LLC  
Roving Grain Buyer - Underwood, ND  
License Application

Mr. Christmann: I move the Commission adopt an order in Case No. GE-14-261 granting the request of Dakota Spirit AgEnergy, LLC of Underwood, North Dakota to operate as a roving grain buyer in North Dakota.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-108  
Montana-Dakota Utilities Co.,  
a Division of MDU  
Generation Resource Cost Recovery  
Tariff

Ms. Fedorchak: Believing that there will be no prejudice to the rights of the parties or the public interest, and finding the cases involve similar questions of law and fact, I move the Commission consolidate the captioned cases effective April 23, 2014 under North Dakota Administrative Code section 69-02-04-04 and issue a Notice of Opportunity for Consolidated Hearing in Montana-Dakota Utilities Co.'s applications for a Generation Resource Recovery Rider, Tariff, Case No. PU-14-108, and Rates, Case No. PU-14-109.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-109  
Montana-Dakota Utilities Co.,  
a Division of MDU  
Generation Resource Cost Recovery  
Rates

Case No. PU-14-157  
Montana-Dakota Utilities Co.,  
a Division of MDU  
City of Watford City - Service Area  
Agreement  
Public Convenience & Necessity

Case No. PU-14-158  
MDU / McKenzie Electric Cooperative,  
Inc.  
City of Watford City  
Service Area Agreement

Case No. PU-14-223  
Meadowlark Midstream Company, LLC  
8-Inch Crude Oil Pipeline-  
Williams and Divide Counties  
Siting Application

Case No. PU-14-254  
ONEOK Bakken Pipeline, L.L.C.  
Targa Lateral Pipeline Pjct - McKenzie  
County  
Siting Application

New Hire - Temporary Public Utility  
Specialist

Ms. Fedorchak: I move the Commission adopt the Order Approving Electric Service Area Agreement and issue Certificate of Public Convenience and Necessity Number 5836 to Montana-Dakota Utilities Company authorizing the provision of electric service to customers around the city of Watford City in accordance with the electric service area agreement negotiated between MDU and McKenzie Electric Cooperative, Inc., Case Nos. PU-14-157 and PU-14-158.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Mr. Kalk: I move that upon appointment as a Special Assistant Attorney General the Commission retain Kelsey A. Krapp to provide legal services to assist the Commission in processing Meadowlark Midstream Company, LLC, 8-Inch Crude Oil Pipeline, Williams and Divide Counties, Siting Application, Case No. PU-14-223.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Mr. Kalk: I move the Commission retain Mitchell D. Armstrong and Brian Schmidt to provide legal services to assist the Commission in processing ONEOK Bakken Pipeline, L.L.C., Targa Lateral Pipeline Project, McKenzie County, Siting Application, Case No. PU-14-254.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Mr. Kalk: I move the Commission acknowledge the offer to and acceptance of Bruce Klootwyk, Jr. to fill Position No. 27470, Public Utility Specialist – Temporary, under the terms specified in the June 5, 2014 written offer of employment.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

New Hire - Public Utility Analyst

Mr. Kalk: I move the Commission acknowledge the offer to and acceptance of Victor F. Schock to fill Position No. 27148, Public Utility Analyst effective June 16, 2014, under the terms specified in the June 2, 2014 written offer of employment.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 12:25 P.M.

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Executive Secretary

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BRIAN P. KALK, CHAIRMAN