

July 30, 2014

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on July 30, 2014, 2:00 p.m. Present were Commissioners Kalk, Christmann, and Fedorchak.

Minutes

Mr. Kalk: I move the minutes of July 10, July 18, 2014 be approved.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

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

Mr. Kalk: I move the Commission issue an application fee refund to Northern States Power Company, in the amount of \$121,512.53, for Case No. PU-13-194.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

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

Mr. Kalk: I move the Commission issue an application fee refund to Northern States Power Company, in the amount of \$172,521.37, for Case No. PU-13-742.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

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

Mr. Kalk: I move the Commission assess a filing fee of \$172,521.37 in Northern States Power Company, 150 MW Border Winds Project – Rolette County, ND, Public Convenience & Necessity, Case No. PU-13-743.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-14-629  
Travis Harwood  
Auctioneer License  
Revocation

Mr. Kalk: I move the Commission issue an order in Case No. AU-14-629 revoking auctioneer license number 968 issued to Travis Harwood of Elgin, North Dakota effective July 12, 2014 for failing to maintain an adequate bond filing.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-14-630  
Terry Moe  
Auctioneer  
License Application

Mr. Kalk: I move the Commission approve the auctioneer license application for Terry Moe, Watford City, North Dakota.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-14-631  
Terry Moe  
Auction Clerk  
License Application

Mr. Kalk: I move the Commission approve the auction clerk license application for Terry Moe, Watford City, North Dakota.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-14-641  
Russell F. Moravec  
Auctioneer  
License Application

Mr. Kalk: I move the Commission approve the auctioneer license application for Russell F. Moravec, David City, Nebraska.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-238  
Montana-Dakota Utilities Co.,  
a Division of MDU  
West River Veterinary Clinic-  
Adams 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 West River Veterinary Clinic at a location in Adams County, North Dakota, Case No. PU-14-238.

Mr. Christmann: 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 adopt the Order and issue a Certificate of Public Convenience and Necessity authorizing Otter Tail Power Company to extend electric service to Paul Trom at a location in Richland County, North Dakota, Case No. PU-14-240.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-244  
Montana-Dakota Utilities Co.,  
a Division of MDU  
Oasis Petroleum- Mountrail 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 Oasis Petroleum at a location in Mountrail County, North Dakota, Case No. PU-14-244.

Mr. Christmann: 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 adopt the Order and issue a Certificate of Public Convenience and Necessity authorizing Otter Tail Power Company to extend electric service to Wade Wolf at a location in Pierce County, North Dakota, Case No. PU-14-247.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-538  
Otter Tail Power Company  
Scott & Roxanna Privratsky –  
Ramsey 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 Scott & Roxanna Privratsky at a location in Ramsey County, North Dakota, Case No. PU-14-538.

Mr. Christmann: 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

WITHDRAWN

Case No. RC-13-893  
Falkirk Mining Company  
Revision 24 to Permit No. NAFK-9503  
Approval

Mr. Christmann: I move the Commission approve Revision No. 24 to Surface Coal Mining Permit No. NAFK-9503 held by the Falkirk Mining Company to change the mine plan, post-mining topography, and reclamation schedule for the remaining unmined areas within the permit area, and to update other sections of the permit. I also move approval of the self-bond rider that increases the amount of the self-bond covering the consolidated bond area at the Falkirk Mine.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-14-313  
Dakota Westmoreland Corporation  
Notice of Violation No. 1401  
Violation

Mr. Christmann: I move the Commission adopt an order in Case No. RC-14-313, Notice of Violation No. 1401 issued to Dakota Westmoreland Corporation at the Beulah Mine, to affirm the violation, assess a civil penalty, and close the case upon payment of the penalty.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-14-314  
Knife River Corporation  
Liability Period Variance,  
Permit KRG-8404  
Approval

Mr. Christmann: I move the Commission approve Knife River Corporation's request for a variance to the ten-year revegetation responsibility period for a total of 4.0 acres of reclaimed cropland that was redisturbed to make drainage improvements and fill small settling features in the NW1/4 of Section 33, T131N, R99W, Bowman County.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-14-513  
Red River Commodities, Inc.  
License No. 991 - Brinsmade, ND  
Discontinue Business

Mr. Christmann: I move the Commission adopt an order in Case No. GE-14-513 cancelling warehouse license number 991 issued to Red River Commodities, Inc. at Brinsmade, North Dakota and ordering that business at Brinsmade under license number 991 is discontinued effective August 1, 2014.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-14-616  
Adams Group, Inc.  
Roving Grain Buyer - Arbuckle, CA  
Discontinue Business

Mr. Christmann: I move the Commission adopt an order in Case No. GE-14-616 cancelling roving grain buyer license number 3176 issued to Adams Group, Inc. of Arbuckle, California, and ordering that all North Dakota roving grain buyer activities be discontinued effective August 1, 2014.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-14-618  
Renville Elevator Company  
License No. 1086 - Greene, ND  
Discontinue Business

Mr. Christmann: I move the Commission adopt an order in Case No. GE-14-618 cancelling warehouse license number 1086 issued to Renville Elevator Company at Greene, North Dakota and ordering that business at Greene under license number 1086 is discontinued effective August 1, 2014.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

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

Ms. Fedorchak: I move the Commission deem complete the applications of ONEOK Bakken Pipeline, L.L.C. for a corridor certificate, route permit, and waiver of procedures and time schedules. I further move the Commission issue a Notice of Filings and Notice of Hearing in 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."

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

WITHDRAWN

Case No. PU-14-620  
Paradigm Midstream Services –  
ND, LLC  
Crude Oil Pipeline –  
McKenzie and Mountrail Counties  
Public Convenience & Necessity

Ms. Fedorchak: I move the Commission issue a Notice of Opportunity for Hearing in Paradigm Midstream Services – ND, LLC, Crude Oil Pipeline – McKenzie and Mountrail Counties, Public Convenience & Necessity, Case No. PU-14-620.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. GS-13-802  
Selland Construction, Inc.  
Damage Prevention Enforcement

Mr. Kalk: I move that the Commission correct the motion passed June 25, 2014 which stated "I move that upon appointment as a Special Assistant Attorney General the commission retain Mitchell D. Armstrong to assist the Commission in processing Public Service Commission, Selland Construction, Inc., Damage Prevention Enforcement, Case No. PU-13-802." to now state "I move that upon appointment as a Special Assistant Attorney General the commission retain Mitchell D. Armstrong to assist the Commission as advocacy staff counsel in processing Public Service Commission, Selland Construction, Inc., Damage Prevention Enforcement, Case No. PU-13-802."

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. GS-14-249  
Everett Hall  
Damage Prevention Enforcement

Mr. Kalk: I move the Commission appoint Aaron Morman and Patrick Fahn as advocacy staff effective May 23, 2014, in the Public Service Commission damage enforcement action concerning Everett Hall, Case No. GS-14-249.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. GS-14-590  
ONEOK Rockies Midstream, L.L.C.  
Damage Prevention Enforcement

Mr. Kalk: I move the Commission appoint Aaron Morman and Patrick Fahn as advocacy staff effective July 14, 2014, in Public Service Commission, ONEOK Rockies Midstream, L.L.C., Damage Prevention Enforcement, Case No. GS-14-590.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

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Administrative Officer Resignation

Mr. Kalk: I move the Commission accept, with regret, the resignation of Cara DeSaye effective July 31, 2014.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 4:00 P.M.

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Executive Secretary

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BRIAN P. KALK, CHAIRMAN