

October 22, 2014

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on October 22, 2014, 10:00 a.m. Present were Commissioners Kalk, Christmann, and Fedorchak.

Amended Minutes

Mr. Kalk: I move the amended minutes of September 17, 2014 be approved.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Minutes

Mr. Kalk: I move the minutes of October 8, 16, 2014 be approved.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. GS-14-312  
Estvold Oilfield Services, Inc.  
Damage Prevention Enforcement

Mr. Kalk: I move the Commission close the proceeding in Public Service Commission, Estvold Oilfield Services, Inc., Damage Prevention Enforcement, Case No. GS-14-312

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-14-749  
Rodney Burgad  
Auctioneer License  
Cancellation

Mr. Kalk: I move the Commission adopt an order in Case No. AU-14-749 cancelling auctioneer license number 761 issued to Rodney Burgad, Wishek, North Dakota.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-655  
Montana-Dakota Utilities Co.,  
a Division of MDU  
Petro Hunt LLC- Burke County  
Public Convenience & Necessity

Mr. Kalk: I move the Commission adopt the Order and issue a Certificate of Public Convenience and Necessity in Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., Petro Hunt LLC – Morton County, Public Convenience & Necessity, Case No. PU-14-655.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-668  
Otter Tail Power Company  
Fuel Clause Adjustment - CSAPR  
Tariff

Mr. Kalk: I move the Commission assess a filing fee in the amount of \$10,000 in Otter Tail Power Company, Fuel Clause Adjustment – CSAPR, Tariff, Case No. PU-14-668.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-693  
Otter Tail Power Company  
Lawrence Malpert - Sargent County  
Public Convenience & Necessity

Mr. Kalk: I move the Commission adopt the Order and issue a Certificate of Public Convenience and Necessity in Otter Tail Power Company, Lawrence Malpert - Sargent County, Public Convenience & Necessity, Case No. PU-14-693.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-694  
Otter Tail Power Company  
Inter-Community Telephone  
Company - Barnes County  
Public Convenience & Necessity

Mr. Kalk: I move the Commission issue a Notice of Opportunity for Hearing in Otter Tail Power Company, Inter-Community Telephone Company – Barnes Cnty, Public Convenience & Necessity, Case No. PU-14-694.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-698  
Montana-Dakota Utilities Co.,  
a Division of MDU  
Schumacher Farms - Logan County  
Public Convenience & Necessity

Mr. Kalk: I move the Commission adopt the Order and issue a Certificate of Public Convenience and Necessity in Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., Schumacher Farms - Logan County, Public Convenience & Necessity, Case No. PU-14-698.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-701  
Montana-Dakota Utilities Co.,  
a Division of MDU  
Mark Draeb - Morton County  
Public Convenience & Necessity

Mr. Kalk: I move the Commission adopt the Order and issue a Certificate of Public Convenience and Necessity in Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., Mark Draeb – Morton County, Public Convenience & Necessity, Case No. PU-14-701.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-734  
Montana-Dakota Utilities Co.,  
a Division of MDU  
Transmission Facility Cost Recovery  
Rates

Mr. Kalk: I move the Commission suspend the tariff filing and issue a Notice of Filing and Notice of Opportunity for hearing in Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., 2014 Transmission Facility Cost Recovery, Rates, Case No. PU-14-734.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-682  
Roberts County Telephone  
Cooperative Association  
Local Exchange  
Public Convenience & Necessity

Case No. PU-14-683  
Roberts County Telephone  
Cooperative Association  
Designated Eligible Carrier  
Application

Case No. RC-13-850  
Coyote Creek Mining Company, LLC  
Permit No. NACC-1302  
Application

Case No. GE-14-750  
Allied Energy, Inc. dba Allied Grain  
License No. 1253 - Bremen, ND  
Discontinue Business

Case No. GE-14-751  
Allied Energy, Inc. dba Allied Grain  
Grain Warehouse - Ypsilanti, ND  
License Application

Mr. Kalk: I move the Commission adopt the Order granting a certificate of public convenience and necessity to provide facilities-based incumbent local exchange services in the North Veblen exchange area in North Dakota, Roberts County Telephone Cooperative Association of New Effington, South Dakota, Local Exchange, Public Convenience & Necessity, Case No. PU-14-682; and designating Roberts County Telephone Cooperative as an eligible telecommunications carrier in that exchange area, Roberts County Telephone Cooperative Association of New Effington, South Dakota, Designated Eligible Carrier, Application, Case No. PU-14-683.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Mr. Christmann: I move the Commission conditionally issue Surface Coal Mining Permit No. NACC-1302 to Coyote Creek Mining Company, L.L.C. to permit 8091.511 acres at the Coyote Creek Mine in Mercer County.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Mr. Christmann: I move the Commission adopt an order in Case No. GE-14-750 cancelling warehouse license number 1253 issued to Allied Energy, Inc. dba Allied Grain at Bremen, North Dakota and ordering that business at Bremen is discontinued effective immediately.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Mr. Christmann: I move the Commission adopt an order in Case No. GE-14-751 granting the request of Allied Energy, Inc. dba Allied Grain, Edgeley, North Dakota, to operate a 1,113,000 bushel grain warehouse at Ypsilanti, North Dakota, effective immediately.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-734  
Montana-Dakota Utilities Co.,  
a Division of MDU  
2014 Transmission Facility Cost  
Recovery  
Rates

Ms. Fedorchak: I move the Commission suspend the tariff filing and issue a Notice of Filing and Notice of Opportunity for Hearing in Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., 2014 Transmission Facility Cost Recovery, Rates, Case No. PU-14-734.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. GS-14-312  
Estvold Oilfield Services, Inc.  
Damage Prevention Enforcement

Ms. Fedorchak: I move the Commission appoint Victor Schock as advocacy staff effective September 29, 2014, in Public Service Commission, Estvold Oilfield Services, Inc., Damage Prevention Enforcement, Case No. GS-14-312.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-737  
Consolidated Telcom  
Damage Prevention Enforcement

Ms. Fedorchak: I move the Commission appoint Julie Prescott as advocacy staff effective October 6, 2014, in Public Service Commission, Consolidated Telcom, Damage Prevention Enforcement, Case No. PU-14-737.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. GS-14-740  
R.J. Corman Derailment Services, LLC  
Damage Prevention Enforcement

Ms. Fedorchak: I move the Commission appoint Victor Schock as advocacy staff effective October 10, 2014, in Public Service Commission, R.J. Corman Derailment Services, LLC, Damage Prevention Enforcement, Case No. GS-14-740.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. GS-14-741  
Keller Paving & Landscaping, Inc.  
Damage Prevention Enforcement

Ms. Fedorchak: I move the Commission appoint Victor Schock as advocacy staff effective October 10, 2014, in Public Service Commission, Keller Paving & Landscaping, Inc., Damage Prevention Enforcement, Case No. GS-14-741.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-744  
EDF Renewable Development, Inc.  
Merricourt Wind Power Project  
Siting Application

Ms. Fedorchak: I move the Commission retain Mitchell D. Armstrong and Brian Schmidt to assist the Commission in processing EDF Renewable Development, Inc., Merricourt Wind Power Project, Siting Application, Case No. PU-14-744.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

New Hire - Administrative Assistant

Ms. Fedorchak: I move the Commission acknowledge the offer to and acceptance of Ms. Kathleen Acker to fill Position No. 5032, Administrative Assistant III, effective October 27, 2014, under the terms specified in the October 13, 2014 written offer of employment.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Resignation - Temporary Office Assistant

Ms. Fedorchak: I move the Commission accept, with regret, the resignation of Jennifer J. Lein effective October 8, 2014.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 11:55 A.M.

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Executive Secretary

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BRIAN P. KALK, CHAIRMAN