

December 2, 2015

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on December 2, 2015, 10:00 a.m. Present were Commissioners Kalk and Christmann. Commissioner Fedorchak was absent due to family emergency.

Minutes

Mr. Kalk: I move the minutes of November 18, 2015 be approved.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-232  
Enbridge Pipelines (North Dakota) LLC  
Berthold Station Expansion Project  
Siting Application

Mr. Kalk: I move the Commission adopt the Order Granting Protection of Information in Enbridge Pipelines (North Dakota) LLC, Berthold Station Expansion Project, Siting Application, Case No. PU-11-232.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-769  
Meadowlark Midstream Co. /  
Epping Transmission Co.  
Little Muddy Creek Pipeline &  
Epping Station Project  
Siting Application

Mr. Kalk: I move the Commission issue a siting fee interim refund in the amount of \$50,415.23 in Meadowlark Midstream Co. / Epping Transmission, Little Muddy Creek Pipeline & Epping Station Pjct., Siting Application, Case No. PU-14-769.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-31  
Hess North Dakota Pipelines LLC  
12-inch Crude Oil Pipeline –  
McKenzie & Williams  
Siting Application

Mr. Kalk: I move the Commission issue a siting fee interim refund in the amount of \$62,441.59 in Hess North Dakota Pipelines LLC, 12-Inch Crude Oil Pipeline – McKenzie & Williams, Siting Application, Case No. PU-15-31.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-32  
Hess North Dakota Pipelines LLC  
Hawkeye NGL Pipeline –  
McKenzie & Williams  
Siting Application

Mr. Kalk: I move the Commission issue a siting fee interim refund in the amount of \$71,533.49 in Hess North Dakota Pipelines LLC, Hawkeye NGL Pipeline – McKenzie & Williams, Siting Application, Case No. PU-15-32.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-615  
Midstate Communications /  
North Dakota Tel. Co.  
Local Exchange  
Public Convenience & Necessity

Mr. Kalk: I move the Commission bill Midstate Communications / North Dakota Tel. Co. for costs incurred to date in Case No. PU-15-615.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-616  
Midstate Communications /  
North Dakota Tel. Co.  
Designated Eligible Carrier  
Application

Mr. Kalk: I move the Commission bill Midstate Communications / North Dakota Tel. Co. for costs incurred to date in Case No. PU-15-616.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-47  
PPM Energy, Inc.  
Rugby Wind Farm - Pierce County  
Siting Application

Mr. Kalk: I move the Commission find that the tree and shrub mitigation is satisfactory and issue a siting application fee final refund in the amount of \$38.21 in PPM Energy, Inc., Rugby Wind Farm – Pierce County, Siting Application, Case No. PU-05-47.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-305  
PPM Energy, Inc.  
230 kV Transmission Line  
Siting Application

Mr. Kalk: I move the Commission find that the tree and shrub mitigation is satisfactory and issue a siting application fee final refund in the amount of \$35.07 in PPM Energy, Inc., 230 kV Transmission Line, Siting Application, Case No. PU-05-305.

Mr. Christmann: 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

Mr. Kalk: I move the Commission issue an application fee refund in the amount of \$8,427.71 in Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., Environmental Cost Recovery, Rates, Case No. PU-13-83.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

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

Mr. Kalk: I move the Commission issue an application fee refund in the amount of \$8,778.40 in Otter Tail Power Company, 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-14-810  
Northern States Power Company  
Advance Prudence - 187 MW Solar  
Energy Portfolio  
Application

Mr. Kalk: I move the Commission issue an application fee refund in the amount of \$171,807.90 in Northern States Power Company, Advance Prudence – 187 MW Solar Energy Portfolio, Application, Case No. PU-14-810.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-843  
Montana-Dakota Utilities Co.,  
a Division of MDU  
Advance Prudence - Thunder Spirit  
Wind Project  
Application

Mr. Kalk: I move the Commission issue an application fee refund in the amount of \$174,257.52 in Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., Advance Prudence – Thunder Spirit Wind Project, Application, Case No. PU-14-843.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-844  
Montana-Dakota Utilities Co.,  
a Division of MDU  
Thunder Spirit Wind Project –  
Adams County  
Public Convenience & Necessity

Mr. Kalk: I move the Commission issue an application fee refund in the amount of \$8,894.52 in Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., Thunder Spirit Wind Project – Adams County, Public Convenience & Necessity, Case No. PU-14-844.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-95  
Northern States Power Company  
Advance Prudence - 100 MW Aurora  
Solar, LLC  
Application

Mr. Kalk: I move the Commission issue an application fee refund in the amount of \$172,594.32 in Northern States Power Company, Advance Prudence – 100 MW Aurora Solar, LLC, Application, Case No. PU-15-95.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-131  
Otter Tail Power Company  
Environmental Cost Recovery  
Rates

Mr. Kalk: I move the Commission issue an application fee refund in the amount of \$9,700.85 in Otter Tail Power Company, Environmental Cost Recovery, Rates, Case No. PU-15-131.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-143  
Montana-Dakota Utilities Co.,  
a Division of MDU  
Environmental Cost Recovery  
Rates

Mr. Kalk: I move the Commission issue an application fee refund in the amount of \$9,606.63 in Montana-Dakota Utilities Co., Inc., a Division of MDU Resources Group, Inc., Environmental Cost Recovery, Rates, Case No. PU-15-143.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-174  
Northern States Power Company /  
Courtenay Wind  
Transfer of Site Certificate  
Siting Application

Mr. Kalk: I move the Commission issue a siting application fee final refund in the amount of \$4,960.67 in Northern States Power Company / Courtenay Wind, Transfer of Site Certificate, Siting Application, Case No. PU-15-174.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-175  
Northern States Power Company  
200 MW Courtenay Wind Farm  
Public Convenience & Necessity

Mr. Kalk: I move the Commission issue an application fee refund in the amount of \$169,775.90 in Northern States Power Company, 200 MW Courtenay Wind Farm, Public Convenience & Necessity, Case No. PU-15-175.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-181  
Northern States Power Company  
Advance Prudence - 200 MW  
Courtenay Wind Farm  
Application

Mr. Kalk: I move the Commission issue an application refund in the amount of \$173,256.90 in Northern States Power Company, Advance Prudence - 200 MW Courtenay Wind Farm, Application, Case No. PU-15-181.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-721  
Montana-Dakota Utilities Co.,  
a Division of MDU  
BNSF Railway - Morton County  
Public Convenience & Necessity

Mr. Kalk: I move the Commission issue a Notice of Opportunity for Hearing in Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., BNSF Railway - Morton County, Public Convenience & Necessity, Case No. PU-15-721.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-635  
Otter Tail Power Company  
Loren & Tammy Delzer -  
McLean County  
Public Convenience & Necessity

Mr. Kalk: I move the Commission grant withdrawal of the application in Otter Tail Power Company, Loren & Tammy Delzer - McLean County, Public Convenience & Necessity, Case No. PU-15-635.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-124  
Rolette Power Development, LLC  
Rolette Wind Energy Project -  
Rolette County  
Siting Application

Mr. Kalk: I move the Commission correct Exhibit 6 to include the Tree and Shrub Mitigation Plan and reserve the Order with the corrected exhibit attached.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-740  
FERC Docket No. ER16-209  
Intervention

Mr. Kalk: I move the Commission acknowledge intervention in Federal Energy Regulatory Commission Docket No. ER16-209, related to the Southwest Power Pool, Inc.'s (SPP) filings proposing revisions to its tariffs to facilitate the integration of Central Power Electric Cooperative, Public Service Commission, FERC Docket No. ER16-209, Intervention, Case No. PU-15-740.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-694  
ONEOK Bakken Pipeline, L.L.C.  
16-Inch NGL Pipeline –  
McKenzie County  
Siting Application

Mr. Kalk: I move the Commission deem complete the applications for certificate of corridor compatibility and a route permit, and further move the Commission issue a Notice of Filings and Public Hearing in ONEOK Bakken Pipeline, L.L.C., 16-Inch NGL Pipeline – McKenzie County, Siting Application, Case No. PU-15-694.

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

Case No. PU-13-848  
North Dakota Pipeline Company, LLC  
24-Inch Crude Oil Pipeline –  
Sandpiper Project  
Siting Application

Mr. Kalk: I move the Commission issue a Notice of Filings and Notice of Opportunity for Hearing in North Dakota Pipeline Company, LLC, 24-Inch Crude Oil Pipeline – Sandpiper Project, Siting Application, Case No. PU-13-848.

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

Case No. GE-15-732  
The ARC Group LLC  
Roving Grain Buyer  
License Application

Mr. Christmann: I move the Commission adopt an order in Case No. GE-15-732 granting the request of The ARC Group, LLC of Lincoln, Nebraska, to operate as a roving grain buyer in North Dakota.

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

Case No. GE-15-739  
CB Procurement LLC  
Roving Grain Buyer  
License Application

Mr. Christmann: I move the Commission adopt an order in Case No. GE-15-739 granting the request of CB Procurement, LLC of Victor, New York to operate as a roving grain buyer in North Dakota.

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

Case No. PU-15-692  
Northern States Power Company  
Light Emitting Diode Streetlight Rate  
Petition  
Tariff

Mr. Kalk: I move the commission adopt the Order regarding Northern States Power Company's Light Emitting Diode Streetlight Rate Petition Tariff, Case No. PU-15-692.

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

Case No. PU-15-482  
Lindahl Wind Project, LLC  
Lindahl Wind Farm Project –  
Williams County  
Siting Application

Mr. Kalk: I move the Commission adopt the Findings of Fact, Conclusions of Law and Order issuing Certificate of Site Compatibility No. 47 in Lindahl Wind Project, LLC, Lindahl Wind Farm Project – Williams County, Siting Application, Case No. PU-15-482. Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-733  
Oasis Midstream Services LLC  
10.75-inch Crude Oil Pipeline -  
McKenzie County  
Siting Application

Mr. Kalk: I move the Commission retain Mitchell D. Armstrong and Brian Schmidt to provide legal services to assist the Commission in processing Oasis Midstream Services LLC, 10.75-inch Crude Oil Pipeline, McKenzie County, Siting Application, Case No. PU-15-733.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-744  
Sacagawea Pipeline Company, LLC  
16-inch Crude Oil Pipeline - McKenzie  
County  
Siting Application

Mr. Kalk: I move the Commission retain Zachary Pelham to provide legal services to assist the Commission in processing Sacagawea Pipeline Company, LLC, 16-inch Crude Oil Pipeline, McKenzie County, Siting Application, Case No. PU-15-744.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-15-599  
vs. Legumex Walker Sunflower, LLC  
Complaint

Mr. Kalk: I move the Commission close the proceeding in Public Service Commission, vs. Legumex Walker Sunflower, LLC, Complaint, Case No. GE-15-599.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-677  
v. Qwest Corporation  
Complaint

Mr. Kalk: I move the Commission appoint Stacy Eberl and Patrick Fahn as advocacy staff effective November 18, 2015 in Public Service Commission, v. Qwest Corporation, Complaint, Case No. PU-15-677.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

New Hire - Temporary Railroad Safety  
Mechanical Inspector

Mr. Kalk: I move the Commission acknowledge the offer to and acceptance of Eric J. Miller to fill Position No. 29455, Temporary Railroad Safety Mechanical Inspector effective December 1, 2015, under the terms specified in the November 20, 2015 written offer of employment.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 11:47 A.M.

  
Executive Secretary

  
Julie Fedorchak, Chairman