

January 31, 2017

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on January 31, 2017, 10:00 a.m. Present were Commissioners Christmann, Kalk and Fedorchak.

Minutes

Mr. Christmann: I move the minutes of January 18, 2017 be approved.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. AD-17-49  
Practice and Procedure  
Rulemaking

Mr. Christmann: I move the Commission propose the attached revisions to the North Dakota Administrative Code, and issue a Notice of Intent to Amend Administrative Rules and Notice of Public Hearing and an abbreviated Notice of Intent to Amend Administrative Rules and Notice of Public Hearing for publication in each official county newspaper throughout the state as required by law, in Public Service Commission, Practice and Procedure, Rulemaking, Case No. AD-17-49.

Section 69-02-04-01 Customer Notice

Section 69-02-04-02 Appearances

Section 69-02-07-02 Proposed Rule Filing and  
Comment Period

Chapter 69-02-09 Procedures for Protecting  
Information from Disclosure

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-16-658  
Northern States Power Company  
Transmission Facility Cost Recovery  
(2017)  
Rates

Mr. Christmann: I move the Commission approve the December 20, 2017 compliance filing of Northern States Power Company, Transmission Facility Cost Recovery (2017), Rates, Case No. PU-16-658.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-17-32  
Otter Tail Power Company  
Small Power Production /  
Cogeneration Rates

Mr. Christmann: I move the Commission approve Otter Tail Power Company's Cogeneration and Small Power Production Rates in Otter Tail Power Company, Small Power Production / Cogeneration, Rates, Case No. PU-17-32.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-16-305  
NST Express, LLC  
8-Inch Crude Oil Pipeline –  
McKenzie County  
Siting Application

Mr. Christmann: I move the Commission execute a contract with Interstate Engineering, Inc. for construction inspection services in NST Express, LLC, 8-Inch Crude Oil Pipeline – McKenzie County, Siting Application, Case No. PU-16-305.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Commission Reorganization

Mr. Christmann: I move that Commission portfolios be allocated as follows, effective February 1, 2017:

Commissioner Christmann – Business Operations (IT, Budget, HR, Legal), Coal Mining and Reclamation, Abandoned Mine Lands, Grain Licensing, Auctioneers and Clerks, Telecommunications, Energy Conversion Siting, Weights and Measures.

Commissioner Fedorchak – Transmission Pipeline Siting, Railroads, Consumer Affairs, Electric Transmission Siting, Pipeline Safety and Damage Prevention, Gas and Electric Economic Regulation.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-16-19  
Northern States Power Company  
Customer Credit - DOE Settlement  
2014 - 2016  
Application

Mr. Kalk: I move the Commission adopt the Order in Northern States Power Company, Customer Credit – DOE Settlement 2014 - 2016, Application, Case No. PU-16-19.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-16-194  
Master Construction Co., Inc.  
Damage Prevention Enforcement

Mr. Kalk: I move the Commission adopt the Order on Consent Agreement in Public Service Commission, Master Construction Co., Inc., Damage Prevention Enforcement, Case Nos. PU-16-194 and PU-16-771.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-16-771  
Master Construction Co., Inc.  
Damage Prevention Enforcement

Case No. PU-07-776  
Northern States Power Company  
Electric Rate Increase  
Application

Mr. Kalk: I move the Commission deny the Application to Amend Settlement Agreement filed in Northern States Power Company, Electric Rate Increase, Application, Case No. PU-07-776.

Case No. PU-16-145  
Northern States Power Company  
Advance Prudence - La Crosse-  
Madison 345 kV Transmission  
Application

I further move the Commission dismiss the applications filed in Northern States Power Company, Advance Prudence – LaCrosse Madison 345 kV Tran, Application, Case No. PU-16-145 and Northern States Power Company, Advance Determination of Prudence Waiver, Application, Case No. PU-16-678.

Case No. PU-16-678  
Northern States Power Company  
Advance Prudence Waiver  
Application

Ms. Fedorchak: I second the motion.  
Roll Call: All voting "Aye."

Case No. PU-07-776  
Northern States Power Company  
Electric Rate Increase  
Application

Mr. Kalk: I move the Commission issue a Notice of Intent to Amend Order in Northern States Power Company, Electric Rate Increase, Case No. PU-07-776.

Ms. Fedorchak: I second the motion.  
Roll Call: All voting "Aye."

Case No. PU-16-695  
Targa Badlands LLC  
8-Inch Crude Pipeline Project -  
McKenzie County  
Siting Application

Ms. Fedorchak: I move the Commission deem the applications complete and issue a Notice of Filing and Notice of Hearing in Targa Badlands LLC, 8-Inch Crude Pipeline Project, McKenzie County, Siting Application, Case No. PU-16-695.

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

Case No. PU-14-842  
Dakota Access, LLC  
Dakota Access Pipeline Project  
Siting Application

Ms. Fedorchak: I move the Commission adopt the Order on Motion to Dismiss Complaint in Dakota Access, LLC, Dakota Access Pipeline Project, Siting Application, Case No. PU-14-842.

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

Case No. PU-16-671  
Antelope Hills Wind Pjct /  
West Branch Wind Pjct  
Transfer of Siting Certificates and  
Permit  
Siting Application

Mr. Christmann: I move that the Commission retain Mitchell Armstrong and Brian Schmidt, effective January 9, 2017, to provide legal services to assist the Commission in processing Antelope Hills Wind Project / West Branch Wind Project, Transfer of Siting Certificates and Permit, Siting Application, Case No. PU-16-671.

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

January 31, 2017

Page 4

Resignation - Accounting Budget  
Specialist I

Mr. Christmann: I move the Commission accept the resignation of Krista Schmidt, Accounting Budget Specialist I, from position number 5027, effective February 10, 2017.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 11:59 A.M.

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Executive Secretary

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RANDY CHRISTMANN, CHAIRMAN