

September 20, 2017

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on September 20, 2017, 10:00 a.m. Commissioner Christmann called for a 15 minute recess to process a late addition to the agenda. The Public Service Commission reconvened at 10:17 a.m. Present were Commissioners Christmann, Kroshus and Fedorchak.

Minutes

Mr. Christmann: I move the minutes of September 6, 2017 be approved.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-17-349  
Henry Biewer  
Auctioneer License  
Cancellation

Mr. Christmann: I move the Commission issue the Order Cancelling Auctioneer License in Henry Biewer, Auctioneer License, Cancellation, Case No. AU-17-349.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-17-113  
Northern States Power Company  
Special Facilities Rider  
Tariff and Rates

Mr. Christmann: I move the Commission issue a filing fee refund in the amount of \$24,814.05 in Northern States Power Company, Special Facilities Rider, Tariff and Rates, Case No. PU-17-113.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-17-122  
Otter Tail Power Company  
Environmental Cost Recovery  
Rates

Mr. Christmann: I move the Commission issue a filing fee refund in the amount of \$9,681.92 in Otter Tail Power Company, Environmental Cost Recovery, Rates, Case No. PU-17-122.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-17-194  
Montana-Dakota Utilities Co.,  
a Division of MDU Resources  
Gas Transportation –  
Schedules 81 and 82  
Tariff and Rates

Mr. Christmann: I move the Commission issue a filing fee refund in the amount of \$9,570.43 in Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., Gas Transportation – Schedules 81 and 82, Tariff and Rates, Case No. PU-17-194.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-17-227  
Montana-Dakota Utilities Co.,  
a Division of MDU Resources  
City of Beulah –  
Service Area Agreement  
Public Convenience & Necessity

Mr. Christmann: I move the Commission issue a filing fee refund in the amount of \$9,661.46 in Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., City of Beulah – Service Agreement, Public Convenience & Necessity, Case No. PU-17-227.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-17-229  
Montana-Dakota Utilities Co.,  
a Division of MDU Resources  
City of Belfield –  
Service Area Agreement  
Public Convenience & Necessity

Mr. Christmann: I move the Commission issue a filing fee refund in the amount of \$9,663.85 in Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., City of Belfield – Service Agreement, Public Convenience & Necessity, Case No. PU-17-229.

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

Case No. PU-17-231  
Montana-Dakota Utilities Co.,  
a Division of MDU Resources  
City of South Heart –  
Service Area Agreement  
Public Convenience & Necessity

Mr. Christmann: I move the Commission issue a filing fee refund in the amount of \$9,665.24 in Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., City of South Heart – Service Agreement, Public Convenience & Necessity, Case No. PU-17-231.

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

Case No. PU-17-233  
Montana-Dakota Utilities Co.,  
a Division of MDU Resources  
City of Hazen –  
Service Area Agreement  
Public Convenience & Necessity

Mr. Christmann: I move the Commission issue a filing fee refund in the amount of \$9,667.00 in Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., City of Hazen – Service Agreement, Public Convenience & Necessity, Case No. PU-17-233.

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

Case No. PU-17-319  
Montana-Dakota Utilities Co.,  
a Division of MDU Resources  
Peak Rewards Program & Cost  
Recovery Mechanism  
Tariff and Rates

Mr. Christmann: I move the Commission issue a filing fee refund in the amount of \$10,000.00 in Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., Peak Rewards Program & Cost Recovery Mechanism, Tariff and Rates, Case No. PU-17-319.

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

Case No. PU-17-331  
Montana-Dakota Utilities Co.,  
a Division of MDU Resources  
Hal Ross - Burke County  
Public Convenience & Necessity

Mr. Christmann: I move the Commission issue a Notice of Opportunity for Hearing in Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., Hal Ross – Burke County, Public Convenience & Necessity, Case No. PU-17-331.

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

Case No. PU-17-238  
Otter Tail Power Company  
Economic Development Rider (EDR)  
Approval

Mr. Christmann: I move the Commission assess a filing fee of \$10,000 in Otter Tail Power Company, Economic Development Rider (EDR), Approval, Case No. PU-17-238.

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

Case No. PU-17-295  
Montana-Dakota Utilities Co.,  
a Division of MDU Resources  
2017 Natural Gas Rate Increase  
Application

Mr. Christmann: I move the Commission execute a contract with PCMG and Associates, LLC for consulting services in Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., 2017 Natural Gas Increase, Application, Case No. PU-17-295.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-16-753  
Savage Bakken Connector, Inc.  
10-Inch Crude Pipeline Project -  
Williams County  
Siting Application

Mr. Christmann: I move the Commission approve Savage Bakken Connector, Inc.'s Tree and Shrub Mitigation Plan filed September 8, 2017 in Savage Bakken Connector, Inc., 10-Inch Crude Oil Pipeline Project – Williams County, Siting Application, Case No. PU-16-753.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

State Mining and Reclamation Award  
2017 Award

Mr. Christmann: I move the Commission present the 2017 North Dakota Award for Excellence in Surface Coal Mining and Reclamation to BNI Coal, Ltd.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-16-646  
Coteau Properties Company  
Bond Release No. 6 for  
Permit NACT-9101  
Approval

Mr. Christmann: I move the Commission approve Bond Release No. 6 for Surface Coal Mining Permit No. NACT-9101, held by the Coteau Properties Company for the Freedom Mine, to release all reclamation liabilities on 128.824 acres of land located in portions of Sections 16, and 17, T145N, R86W, Mercer County. The release will become effective October 23, 2017, unless a formal hearing is requested.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-17-294  
USF Use Certification 47  
CFR 54.314 (2018)  
Compliance

Mr. Christmann: I move the Commission adopt the Order Certifying Use of Federal Universal Services Support in Public Service Commission, USF Use Certification 47 CFR 54.314 (2018), Compliance, Case No. PU-17-294.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-17-323  
BNI Coal, Ltd.  
Revision 14, Permit BNCR-9401  
Approval

Mr. Christmann: I move the Commission approve Revision No. 14 to Surface Coal Mining Permit No. BNCR-9401 held by BNI Coal, Ltd. for the Center Mine to delete 15.24 acres from the permit that have not been disturbed by mining activities.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-17-350  
American Bean, LLC  
License No. 1299 - Grand Forks, ND  
Discontinue Business

Mr. Christmann: I move the Commission issue the Order Granting Request to Discontinue Business effective September 1, 2017 in American Bean, LLC, License No. 1299 – Grand Forks, ND, Discontinue Business, Case No. GE-17-350.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-17-221  
Murphy Pipe & Civil LLC  
Damage Prevention Enforcement

Mr. Kroshus: I move the Commission adopt the Order on Consent Agreement in Public Service Commission, Murphy Pipe & Civil LLC, Damage Prevention Enforcement, Case No. PU-17-221.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-17-293  
Kamphuis Pipeline Co.  
Damage Prevention Enforcement

Mr. Kroshus: I move the Commission adopt the Order on Consent Agreement in Public Service Commission, Kamphuis Pipeline Co., Damage Prevention Enforcement, Case No. PU-17-293.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-17-332  
Northern States Power Company  
115 kV Transmission Line –  
Cass County  
Public Convenience & Necessity

Mr. Kroshus: I move the Commission assess a filing fee of \$10,000 and issue a Notice of Opportunity for Hearing in Northern States Power Company, 115 kV Transmission Line – Cass County, Public Convenience & Necessity, Case No. PU-17-332.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-17-340  
Otter Tail Power Company  
Transmission Facility Cost Recovery  
(2018)  
Rates

Mr. Kroshus: I move the Commission issue a Notice of Opportunity for Hearing, assess a filing fee of \$10,000 and suspend the tariff filing, in Otter Tail Power Company, Transmission Facility Cost Recovery (2018), Rates, Case No. PU 17-340.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-17-346  
Montana-Dakota Utilities Co.,  
a Division of MDU Resources  
Capacity Reservation –  
Gwinner Pipeline  
Tariff and Rates

Mr. Kroshus: I move the Commission assess a filing fee of \$10,000, suspend the tariff and rates and issue a Notice of Opportunity for Hearing in Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., Capacity Reservation – Gwinner Pipeline, Tariff and Rates, Case No. PU-17-346.

Ms. Fedorchak: 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 execute the Settlement Agreement in Dakota Access, LLC, Dakota Access Pipeline Project Siting Application, Case Number PU-14-842.

I further move the Commission cancel the hearing on the investigation currently scheduled to begin October 3, 2017 in Dakota Access, LLC, Dakota Access Pipeline Project Siting Application, Case Number PU-14-842.

Mr. Kroshus: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-17-245  
Northern States Power Company  
2016 Power Purchase Agreement  
Costs  
Compliance

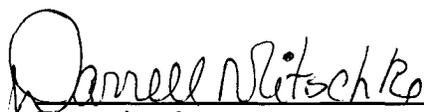
Mr. Christmann: I move the Commission close the proceeding in Northern States Power Company, 2016 Power Purchase Agreement Costs, Compliance, Case No. PU-17-245.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 12:20 P.M.

  
Executive Secretary

  
RANDY CHRISTMANN, CHAIRMAN