

October 22, 2019

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on October 22, 2019, 10:02 a.m. Present were Commissioners Kroshus, Fedorchak and Christmann.

Minutes

Mr. Kroshus: I move the minutes of October 2, 2019 and the October 2, 2019 Special Commission Meeting be approved.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-18-412
Public Service Commission
KPH, Inc.
Damage Prevention Enforcement

Mr. Kroshus: I move the Commission find the Formal Complaint filed by the North Dakota Public Service Commission Advocacy Staff on September 18, 2019, states a *prima facie* case, and serve the Complaint on the Respondent in Public Service Commission, KPH, Inc., Damage Prevention Enforcement, Case No. PU-18-412.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-18-413
Public Service Commission
KPH, Inc.
Damage Prevention Enforcement

Mr. Kroshus: I move the Commission find the Formal Complaint filed by the North Dakota Public Service Commission Advocacy Staff on September 18, 2019, states a *prima facie* case, and serve the Complaint on the Respondent in Public Service Commission, KPH, Inc., Damage Prevention Enforcement, Case No. PU-18-413.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-18-414
Public Service Commission
KPH, Inc.
Damage Prevention Enforcement

Mr. Kroshus: I move the Commission find the Formal Complaint filed by the North Dakota Public Service Commission Advocacy Staff on September 18, 2019, states a *prima facie* case, and serve the Complaint on the Respondent in Public Service Commission, KPH, Inc., Damage Prevention Enforcement, Case No. PU-18-414.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-18-415
Public Service Commission
KPH, Inc.
Damage Prevention Enforcement

Mr. Kroshus: I move the Commission find the Formal Complaint filed by the North Dakota Public Service Commission Advocacy Staff on September 18, 2019, states a *prima facie* case, and serve the Complaint on the Respondent in Public Service Commission, KPH, Inc., Damage Prevention Enforcement, Case No. PU-18-415.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-18-416
Public Service Commission
KPH, Inc.
Damage Prevention Enforcement

Mr. Kroshus: I move the Commission find the Formal Complaint filed by the North Dakota Public Service Commission Advocacy Staff on September 18, 2019, states a *prima facie* case, and serve the Complaint on the Respondent in Public Service Commission, KPH, Inc., Damage Prevention Enforcement, Case No. PU-18-416.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-18-417
Public Service Commission
KPH, Inc.
Damage Prevention Enforcement

Mr. Kroshus: I move the Commission find the Formal Complaint filed by the North Dakota Public Service Commission Advocacy Staff on September 18, 2019, states a *prima facie* case, and serve the Complaint on the Respondent in Public Service Commission, KPH, Inc., Damage Prevention Enforcement, Case No. PU-18-417.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-18-418
Public Service Commission
KPH, Inc.
Damage Prevention Enforcement

Mr. Kroshus: I move the Commission find the Formal Complaint filed by the North Dakota Public Service Commission Advocacy Staff on September 18, 2019, states a *prima facie* case, and serve the Complaint on the Respondent in Public Service Commission, KPH, Inc., Damage Prevention Enforcement, Case No. PU-18-418.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-18-424
Public Service Commission
Master Construction
Damage Prevention Enforcement

Mr. Kroshus: I move the Commission close Public Service Commission, Master Construction, Inc., Damage Prevention Enforcement, Case No. PU-18-424.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-19-113
Public Service Commission
Dakota Services / Muriel Close
Damage Prevention Enforcement

Mr. Kroshus: I move the Commission find the Formal Complaint filed by the North Dakota Public Service Commission Advocacy Staff on September 12, 2019, states a *prima facie* case, and serve the Complaint on the Respondent in Public Service Commission, Dakota Services / Muriel Close, Damage Prevention Enforcement, Case No. PU-19-113.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-19-220
Northern States Power Company
Integrated Resource Plan
Information

Mr. Kroshus: I move the Commission adopt the Order on Protection of Information in Northern States Power Company, Integrated Resource Plan, Information, Case No. PU-19-220.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-19-328
Northern States Power Company
Transmission Facility Cost Recovery
(2020)
Rates

Mr. Kroshus: I move the Commission suspend the tariff filing and assess a filing fee of \$10,000 in Northern States Power Company, Transmission Facility Cost Recovery (2020), Rates, Case No. PU-19-328.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-19-329
Northern States Power Company
Renewable Resource Cost Recovery
(2020)
Rates

Mr. Kroshus: I move the Commission suspend the tariff filing and assess a filing fee of \$10,000 in Northern States Power Company, Renewable Resource Cost Recovery (2020), Rates, Case No. PU-19-329.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-162
Allete, Inc.
Bison 3 Wind Project - Oliver - Morton
Counties
Siting Application

Mr. Kroshus: I move the Commission find that the tree and shrub mitigation is successfully completed and issue a siting application fee final refund in the amount of \$13,093 in Alette, Inc. Bison 3 Wind Project – Oliver – Morton Counties, Siting Application, Case No. PU-11-162.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-142
Vantage Pipeline US LP
8-inch HVP Pipeline - West Spur
Pipeline Pjct
Siting Application

Mr. Kroshus: I move the Commission find that the tree and shrub mitigation is successfully completed and issue a siting application fee final refund in the amount of \$15,000 in Vantage Pipeline US LP, 8-inch HVP Pipeline - West Spur Pipeline Pjct, Siting Application, Case No. PU-15-142.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-18-399
ONEOK Bakken Pipeline, L.L.C.
20-Inch NGL Pipeline - McKenzie
County
Siting Application

Mr. Kroshus: I move the Commission issue a siting application fee interim refund in the amount of \$18,267.17 in ONEOK Bakken Pipeline, L.L.C., 20-inch NGL Pipeline - McKenzie County, Siting Application, Case No. PU-18-399.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-18-404
Belle Fourche Pipeline Company
8-inch Wilson-Bowline Pipeline
Conversion Project
Siting Application

Mr. Kroshus: I move the Commission execute Contract No. PU-824-19 with Houston Engineering, Inc. for construction and inspection services in Belle Fourche Pipeline Company, 8-inch Wilson-Bowline Pipeline Conversion Project, Siting Application, Case No. PU-18-404.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-19-85
ONEOK Bakken Pipeline, L.L.C.
12-Inch NGL Pipeline - McKenzie
County
Siting Application

Mr. Kroshus: I move the Commission issue a siting application fee interim refund in the amount of \$30,993.28 in ONEOK Bakken Pipeline, L.L.C., 12-inch NGL Pipeline - McKenzie County, Siting Application, Case No. PU-19-85.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Compliance Division
Auctioneer and Auction Clerk Update

Mr. Kroshus: I move the Commission acknowledge the issuance of the following new auction licenses, all of which became effective during the month of September 2019.

AUCTION CLERK LICENSES

Auction Clerk Name	Location	Effective Date
Krance Auction Service LLC	South Heart, ND	9/14/2019
Bernadette Heidrich	Bismarck, ND	9/28/2019

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-19-338
Brett Sitz
Auctioneer License
Cancellation

Mr. Kroshus: I move the Commission issue the Order Cancelling Auctioneer License in Brett Sitz, Auctioneer License, Cancellation, Case No. AU-19-338.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-18-305
Public Service Commission
Carstensen Contracting, Inc.
Damage Prevention Enforcement

Mr. Kroshus: I move the Commission adopt the Order on Consent Agreement in Public Service Commission, Carstensen Contracting, Inc., Damage Prevention Enforcement, Case No. PU-18-305, and in Public Service Commission, Carstensen Contracting, Inc., Damage Prevention Enforcement, Case No. PU-19-210.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-19-210
Public Service Commission
Carstensen Contracting, Inc.
Damage Prevention Enforcement

Case No. PU-18-430
Northern States Power Company
Advance Prudence - 151.2 MW Dakota
Range III
Application

WITHDRAWN

Case No. PU-19-219
Public Service Commission
Oakland Construction, Inc.
Damage Prevention Enforcement

Mr. Kroshus: I move the Commission adopt the Order on Consent Agreement in Public Service Commission, Oakland Construction, Inc., Damage Prevention Enforcement, Case No. PU-19-219.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-19-285
Montana-Dakota Utilities Co.
Transmission Facility Cost Recovery
Rates

Mr. Kroshus: I move the Commission adopt the Order in Montana-Dakota Utilities Co., Transmission Facility Cost Recovery, Tariff and Rates, Case No. PU-19-285.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-19-292
Otter Tail Power Company
Environmental Cost Recovery Charge
(ECRC)
Rates

Mr. Kroshus: I move the Commission adopt the Order in Otter Tail Power Company, Environmental Cost Recovery Charge (ECRC), Rates, Case No. PU-19-292.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. GS-19-327
Public Service Commission
2020 Federal/State Gas Pipeline
Safety
Grants and Contracts

Mr. Kroshus: I move the Commission acknowledge the September 30, 2019 electronic submittal of the 2020 Gas Pipeline Safety Program Base Grant Application in the amount of \$362,333 in Public Service Commission, 2020 Federal/State Gas Pipeline Safety, Grants and Contracts, Case No. GS-19-327.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-19-332
Montana-Dakota Utilities Co.
Electric Service Agreement - ND OMB
Approval

Mr. Kroshus: I move the Commission issue a Notice of Opportunity for Hearing in Montana-Dakota Utilities Co., Electric Service Agreement - ND OMB, Approval, Case No. PU-19-332.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-19-333
Emmons-Logan Wind / E-Logan
Interconnection, LLC
Transfer of Corridor Certificate and
Route Permit
Siting Application

Ms. Fedorchak: I move the Commission assess a filing fee of \$10,000 and issue a Notice of Opportunity for Hearing in Emmons-Logan Wind / E-Logan Interconnection, LLC Transfer of Corridor Certificate and Route Permit, Siting Application, Case No. PU-19-333.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-19-336
Ashtabula Wind, LLC / Ashtabula Wind
I, LLC
Transfer of Site Certificate
Siting Application

Ms. Fedorchak: I move the Commission assess a filing fee of \$10,000 and issue a Notice of Opportunity for Hearing in Ashtabula Wind, LLC / Ashtabula Wind I, LLC Transfer of Site Certificate, Case No. PU-19-336.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Coal Regulatory and AML Programs
2019 OSM Evaluation Reports

Mr. Christmann: I move the Commission accept the federal Office of Surface Mining's 2019 Evaluation Reports for the Coal Regulatory and Abandoned Mine Lands Programs.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-19-78
Public Service Commission
2019 Exploratory Drilling AML Project
Project

Mr. Christmann: I move the Commission close out Contract No. AM-811-19 with Agapito Associates, Inc. for completion of drilling services for the 2019 Exploratory Drilling Project AML Project.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-19-80
Public Service Commission
2019 Morton County Phase 2 AML
Project
Project

Mr. Christmann: I move the Commission close out Contract No. AM-817-19 with Logan Valley, Inc. for completion of construction services for the 2019 Morton County Phase 2 AML Project.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-19-81
Public Service Commission
2019 Williams County Road 9 Phase 7
and Noonan AML
Project

Mr. Christmann: I move the Commission close out Contract No. AM-813-19 with Material Testing Services, LLC for completion of material testing services for the 2019 Williams County Road 9 Phase 7 and Noonan AML Project.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-19-81
Public Service Commission
2019 Williams County Road 9 Phase 7
and Noonan AML
Project

Mr. Christmann: I move the Commission close out Contract No. AM-812-19 with B & C Concrete Pumping, Inc. for completion of drilling and grout services for the 2019 Williams County Road 9 Phase 7 and Noonan AML Project.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-18-395
Midwest Grain Trading/NoDak Grain
Roving Grain Buyer/Grain Warehouse
Insolvencies

WITHDRAWN

Case No. PU-18-422
Public Service Commission
Master Construction
Damage Prevention Enforcement

Case No. PU-18-423
Public Service Commission
Master Construction
Damage Prevention Enforcement

Case No. PU-18-425
Public Service Commission
Master Construction
Damage Prevention Enforcement

Case No. PU-18-426
Public Service Commission
Master Construction
Damage Prevention Enforcement

Case No. PU-18-427
Public Service Commission
Master Construction
Damage Prevention Enforcement

Case No. PU-18-428
Public Service Commission
Master Construction
Damage Prevention Enforcement

Case No. PU-18-429
Public Service Commission
Master Construction
Damage Prevention Enforcement

Mr. Kroshus: I move the Commission appoint Brian Johnson and Victor Schock as advocacy staff effective October 7, 2019, in

Public Service Commission
Master Construction
Damage Prevention Enforcement
Case No. PU-18-422

Public Service Commission
Master Construction
Damage Prevention Enforcement
Case No. PU-18-423

Public Service Commission
Master Construction
Damage Prevention Enforcement
Case No. PU-18-425

Public Service Commission
Master Construction
Damage Prevention Enforcement
Case No. PU-18-426

Public Service Commission
Master Construction
Damage Prevention Enforcement
Case No. PU-18-427

Public Service Commission
Master Construction
Damage Prevention Enforcement
Case No. PU-18-428

Public Service Commission
Master Construction
Damage Prevention Enforcement
Case No. PU-18-429

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

Case No. PU-18-420
Public Service Commission
Gladen Construction
Damage Prevention Enforcement

Case No. PU-18-421
Public Service Commission
Gladen Construction
Damage Prevention Enforcement

Mr. Kroshus: I move the Commission appoint Brian Johnson and Victor Schock as advocacy staff effective October 9, 2019, in Public Service Commission, Gladen Construction, Damage Prevention Enforcement, Case No. PU-18-420 and in Public Service Commission, Gladen Construction, Damage Prevention Enforcement, Case No. PU-18-421.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 11:07 A.M.



Executive Secretary



BRIAN KROSHUS, CHAIRMAN