

September 1, 2021

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on September 1, 2021, 1:30 p.m. Present were Commissioners Fedorchak, Christmann and Kroshus.

Minutes

Ms. Fedorchak: I move the minutes of August 18, 2021, be approved.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-09-151

Allete, Inc.

Bison 1 Wind Project - Oliver / Morton  
Counties

Siting Application

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Case No. PU-11-57

Allete, Inc.

Bison 2 Wind Project - Oliver-Morton  
Counties

Siting Application

Case No. PU-11-162

Allete, Inc.

Bison 3 Wind Project - Oliver - Morton  
Counties

Siting Application

Case No. PU-11-662

Allete Clean Energy, Inc.

100 MW Clean Energy #1 Wind Pjc -  
Mercer & Morton

Siting Application

Case No. PU-13-127

Allete, Inc.

210MW Bison 4 Wind Project - Oliver  
Cty

Siting Application

Case No. PU-17-97

Cenex Pipeline, LLC

10" Refined Fuels Pipeline Williams,  
Mountrail, Ward

Siting Application

Ms. Fedorchak: I move the Commission adopt the Order on Tree and Shrub Mitigation Specifications in Cenex Pipeline, LLC, 10" Refined Fuels Pipeline Williams, Mountrail, Ward, Siting Application, Case No. PU-17-97.

Mr. Kroshus: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-21-325  
Great River Energy / Rainbow Energy  
Center, LLC  
Transfer Certificate #1 and Permit #3  
Siting Application

Ms. Fedorchak: I move the Commission adopt the Order in Great River Energy / Rainbow Energy Center, LLC, Transfer Certificate #1 and Permit #3, Siting Application, Case No. PU-21-325.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-21-326  
Great River Energy / Nexus Line, LLC  
Transfer Certificate #2 and Permit #1  
Siting Application

Ms. Fedorchak: I move the Commission adopt the Order in Great River Energy / Nexus Line, LLC, Transfer Certificate #2 and Permit #1, Siting Application, Case No. PU-21-326.

Mr. Kroshus: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-21-45  
Coyote Creek Mining Company, L.L.C.  
Revision 11, Permit NACC-1302  
Application

Mr. Christmann: I move the Commission approve Revision No. 11 to Surface Coal Mining Permit NACC-1302 held by Coyote Creek Mining Company, L.L.C., to mine the federal coal located in the SW¼ of Section 24 and SE¼ of Section 26, and the private coal located in the SE¼ of Section 23 of the permit, and to update other information, mining and reclamation plans in the permit, in Coyote Creek Mining Company, L.L.C., Revision No. 11, Permit NACC-1302, Application, PSC Case No. RC-21-45.

Mr. Kroshus: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-21-216  
Public Service Commission  
USF Use Certification 47 CFR 54.314  
(2022)  
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 (2022), Compliance, Case No. PU-21-216.

Mr. Kroshus: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-20-449  
Public Service Commission  
Pennington Fencing  
Damage Prevention Enforcement

Mr. Kroshus: I move the Commission adopt the Order on Consent Agreement in Public Service Commission, Pennington Fencing, Damage Prevention Enforcement, Case No. PU-20-449.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-21-56  
Public Service Commission  
Austin Broden  
Damage Prevention Enforcement

Mr. Kroshus: I move the Commission adopt the Order on Consent Agreement in Public Service Commission, Austin Broden, Damage Prevention Enforcement, Case No. PU-21-56.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-21-83  
Otter Tail Power Company  
Advance Prudence- Advanced  
Metering Infrastructure  
Application

Withdrawn

Case No. PU-21-302  
Public Service Commission  
JMAC Resources, Inc.  
Damage Prevention Enforcement

Mr. Kroshus: I move the Commission adopt the Order on Consent Agreement in Public Service Commission, JMAC Resources, Inc., Damage Prevention Enforcement, Case No. PU-21-302.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-21-241  
Public Service Commission  
BEK Consulting LLC  
Damage Prevention Enforcement

Ms. Fedorchak: I move the Commission appoint Brian Johnson and Adam Renfandt as advocacy staff effective August 20, 2021, in Public Service Commission, BEK Consulting LLC, Damage Prevention Enforcement, Case No. PU-21-241.

Mr. Kroshus: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-21-305  
Public Service Commission  
BEK Consulting LLC  
Damage Prevention Enforcement

Ms. Fedorchak: I move the Commission appoint Brian Johnson and Adam Renfandt as advocacy staff effective August 20, 2021, in Public Service Commission, BEK Consulting LLC, Damage Prevention Enforcement, Case No. PU-21-305.

Mr. Kroshus: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-21-152  
Northern States Power Company  
Advance Prudence – 460MW Solar –  
Sherburne Cnty. MN  
Application

Ms. Fedorchak: I move the Commission retain Mitch Armstrong to provide legal services as Advocacy Counsel in Northern States Power Company, Advance Prudence, 460MW Solar, Sherburne County, Minnesota, Application, PSC Case No. PU-21-152.

Mr. Kroshus: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-21-376  
Otter Tail Power Company  
Transmission Facility Cost Recovery  
(2022)  
Rates

Ms. Fedorchak: I move the Commission approve the 15-day extension request filed on August 30, 2021 in Otter Tail Power Company, Transmission Facility Cost Recovery (2022), Rates, Case No. PU-21-376.

Mr. Kroshus: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-09-151  
Allete, Inc.  
Bison 1 Wind Project - Oliver / Morton  
Counties  
Siting Application

Case No. PU-11-57  
Allete, Inc.  
Bison 2 Wind Project - Oliver-Morton  
Counties  
Siting Application

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

Case No. PU-11-662  
Allete Clean Energy, Inc.  
100 MW Clean Energy #1 Wind Pjc -  
Mercer & Morton  
Siting Application

Case No. PU-13-127  
Allete, Inc.  
210MW Bison 4 Wind Project - Oliver  
Cty  
Siting Application

Ms. Fedorchak: Believing that there will be no prejudice to the rights of the parties or the public interest and finding the cases involve similar questions of law or fact, I move the Commission consolidate for hearing, under North Dakota Administrative Code section 69-02-04-04, the enumerated cases.

I further move the Commission issue a Notice of Consolidated Hearing in the enumerated cases.

Allete, Inc. Case No. PU-09-151  
Bison 1 Wind Project – Oliver / Morton Counties  
Siting Application

Allete, Inc. Case No. PU-11-57  
Bison 2 Wind Project – Oliver-Morton Counties  
Siting Application

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

Allete Clean Energy, Inc. Case No. PU-11-662  
100 MW Clean Energy #1 Wind Pjc–Mercer & Morton  
Siting Application

Allete, Inc. Case No. PU-13-127  
210MW Bison 4 Wind Project – Oliver Cty  
Siting Application

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

ATTEST

THE COMMISSION ADJOURNED AT 2:26 P.M.

  
Executive Secretary

  
JULIE FEDORCHAK, CHAIR