

March 30, 2022

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on March 30, 2022, 10:00 a.m. Present were Commissioners Fedorchak, Christmann and Haugen-Hoffart.

Minutes

Ms. Fedorchak: I move the minutes of March 9, 2022, be approved.

Mr. Christmann: 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

Ms. Fedorchak: I move the Commission adopt the Order on Certificate of Corridor Compatibility and Route Permit in NST Express, LLC, 8-Inch Crude Oil Pipeline – McKenzie County, Siting Application, Case No. PU-16-305.

Mr. Christmann: 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

Ms. Fedorchak: Since the certificate and permit has been relinquished, I move the Commission issue a siting application fee final refund in the amount of \$19,047.89 in NST Express, LLC, 8-Inch Crude Oil Pipeline – McKenzie County, Siting Application, Case No. PU-16-305.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-21-102  
Northern States Power Company  
Feb. 2021 Extreme Weather Event  
Investigation

Ms. Fedorchak: I move the Commission adopt the Order on Protection of Information in Northern States Power Company, Feb. 2021 Extreme Weather Event, Investigation, PSC Case No. PU-21-102, and Northern States Power Company, Feb. 2021 Extreme Weather Event, Investigation, PSC Case No. PU-21-105.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-21-105  
Northern States Power Company  
Feb. 2021 Extreme Weather Event  
Investigation

Case No. PU-22-8  
Montana-Dakota Utilities Co.  
Cost of Gas 2022  
Tariff Monthly Adjustments

Ms. Fedorchak: I move the Commission adopt the Order on Protection of Information in Montana-Dakota Utilities Co., Cost of Gas 2022, Tariff Monthly Adjustments, PSC Case No. PU-22-008.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Compliance Division  
Auctioneer and Auction Clerk Update

Ms. Fedorchak: I move the Commission acknowledge the issuance of the following new auction licenses, all of which became effective during the month of February 2022.

#### AUCTIONEER LICENSES

Auctioneer Name	Location	Effective Date
Cory Neumiller	Washburn, ND	2/11/2022
Joel Neumiller	Washburn, ND	2/12/2022

#### AUCTION CLERK LICENSE

Auction Clerk Name	Location	Effective Date
Neumiller Auctioneers LLC	Washburn, ND	2/12/2022

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-20-442  
Public Service Commission  
vs. Qwest Corporation  
Show Cause

Ms. Fedorchak: I move the Commission adopt the Order on Protection of Information in Public Service Commission vs. Qwest Corporation, Show Cause, PSC Case No. PU-20-442.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. GS-21-442  
Public Service Commission  
Pipeline Safety  
Rulemaking

Ms. Fedorchak: I move the Commission adopt the Order Submitting Rules to Attorney General for an opinion as to legality in Public Service Commission, Pipeline Safety, Rulemaking, Case No. GS-21-442 and Public Service Commission, Surface Coal Mining and Reclamation Operations, Rulemaking, Case No. RC-22-28.

Amend Section 69-09-03-02 Pipeline Safety

Amend Section 69-05.2-05-06

Amend Chapter 69-05.2-16 Index

Amend Section 69-05.2-16-03

Amend Section 69-05.2-16-20

Amend Section 69-05.2-20-01 Surface Coal

Mining and Reclamation Operations

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-21-160  
Northern States Power Company  
2020 Electric  
Annual Report

Ms. Fedorchak: I move the Commission adopt the Order on Protection of Information in Northern States Power Company, 2020 Electric, Annual Report, PSC Case No. PU-21-160.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-21-396  
Northern States Power Company  
Transmission Facility Cost Recovery  
(2022)  
Rates

Ms. Fedorchak: I move the Commission issue an application fee refund in the amount of \$9,836.12 in Northern States Power Company, Transmission Facility Cost Recovery (2022), Rates, Case No. PU-21-396.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-21-418  
Public Service Commission  
Chaznline Construction, Inc.  
Damage Prevention Enforcement

Ms. Fedorchak: I move the Commission adopt the Order on Complaint Withdrawal in Public Service Commission, Chaznline Construction, Inc., Damage Prevention Enforcement, Case No. PU-21-418

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-21-151  
Montana-Dakota Utilities Co.  
230 kV Transmission Line - Morton  
County  
Siting Application

Ms. Fedorchak: I move the Commission adopt the Order on Consent Agreement in Montana-Dakota Utilities Co., 230 kV Transmission Line - Morton County, Siting Application, Case No. PU-21-151.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-21-386  
Montana-Dakota Utilities Co.  
NG Distribution System - Cass and  
Richland  
Public Convenience & Necessity

Ms. Fedorchak: I move the Commission adopt the Order issuing Certificate of Public Convenience and Necessity Number 5964 in Montana-Dakota Utilities Co., NG Distribution System – Cass and Richland, Public Convenience & Necessity, Case No. PU-21-386.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-21-452  
Montana-Dakota Utilities Co.  
Gas Service Extension Policy  
Tariff

Ms. Fedorchak: I move the Commission issue a Notice of Opportunity for Hearing in Montana-Dakota Utilities Co., Gas Service Extension Policy, Tariff, Case No. PU-21-452.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-22-147  
Public Service Commission  
Electrification of Transportation  
Investigation

Ms. Fedorchak: I move the Commission adopt the Order Requesting Comment on Measures to Promote Greater Electrification of the Transportation Sector in Public Service Commission, Electrification of Transportation, Investigation, Case No. PU-22-147.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-21-298  
BNI Coal, Ltd.  
Revision 9, Permit BNCR-1101  
Application

Mr. Christmann: I move the Commission approve Revision No. 9 to Surface Coal Mining Permit BNCR-1101 held by BNI Coal, Ltd. to revise the mining sequence for 345 acres in Section 20 and 21 of Township 141N, Range 83W, add two acres to the permit, and to make updates in response to a midterm permit review in BNI Coal, Ltd., Revision No. 9, Permit BNCR-1101, Application, RC-21-298.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-21-373  
Montana-Dakota Utilities Co.  
Financial Incentive - Power Purchase  
Agreement  
Rates

WITHDRAWN

Case No. PU-22-20  
Qwest Corporation  
PIDs & PAP  
Cancellation / Application

Mr. Christmann: I move the Commission issue a Notice of Hearing in Qwest Corporation, PIDs & PAP, Cancellation/Application, Case No. PU-22-20.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-22-84  
Torch Wireless  
Designated Eligible Carrier  
Application

Mr. Christmann: I move the Commission dismiss and close Torch Wireless, Designated Eligible Carrier, Application, Case No. PU 22-84.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-21-338  
Public Service Commission  
JP Hager Enterprises, LLC  
Damage Prevention Enforcement

Ms. Haugen-Hoffart: I move the Commission adopt the Order and Notice of Default in Public Service Commission, JP Hager Enterprises, LLC, Damage Prevention Enforcement, Case No. PU-21-338.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-21-438  
Northern States Power Company  
Customer Credit – DOE Settlement  
2020  
Application

Ms. Haugen-Hoffart: I move the Commission adopt the Order in Northern States Power Company, Customer Credit – DOE Settlement 2020, Application, Case No. PU-21-438.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-22-19  
Otter Tail Power Company  
2022 Renewable Resource Cost  
Recovery Adj. Factor  
Rates

Ms. Haugen-Hoffart: I move the Commission adopt the Order in Otter Tail Power Company, 2022 Renewable Resource Cost Recovery Adj. Factor, Rates, Case No. PU 22-19.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-22-27  
Otter Tail Power Company  
Purchased Assets of Ashtabula Wind  
III, LLC  
Public Convenience & Necessity

Ms. Haugen-Hoffart: I move the Commission adopt the Order in Otter Tail Power Company, Purchased Assets of Ashtabula III, LLC, Public Convenience & Necessity, Case No. PU 22-27.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-22-87  
Otter Tail Power Company  
Generation Resource Cost Recovery  
Rates

Ms. Haugen-Hoffart: I move the Commission suspend the rate and issue a Notice of Opportunity for Hearing in Otter Tail Power Company, Generation Resource Cost Recovery, Rates, Case No. PU 22-87.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-22-145  
Public Service Commission  
Demand Response  
Investigation

Ms. Haugen-Hoffart: I move the Commission adopt the Order Requesting Comment on Demand Response Rate Mechanisms in Public Service Commission, Demand Response, Investigation, Case No. PU-22-145.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-22-86  
Badger Wind, LLC  
251.6 MW Badger Wind Project -  
Logan & McIntosh  
Siting Application

Ms. Fedorchak: I move the Commission retain Mitch Armstrong, Brian Schmidt, and Jon Lengowski to provide legal services to assist the Commission in processing Badger Wind, LLC, 251.6 MW Badger Wind Project, Logan and McIntosh Counties, Siting Application, PU-22-86.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-22-21  
Public Service Commission  
2022 Garrison Phase 5 AML  
Project

Case No. AM-22-25  
Public Service Commission  
2022 Morton County Phase 3 AML  
Project

ATTEST

  
Executive Secretary

Ms. Fedorchak: I move the Commission retain Patrick Bair to provide legal services to the Commission in processing Public Service Commission, 2022 Garrison Phase 5 AML, Project, Case No. AM-22-21 and Public Service Commission, 022 Morton County Phase 3 AML, Project, Case No. AM-22-25.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

THE COMMISSION ADJOURNED AT 11:23 A.M.

  
JULIE FEDORCHAK, CHAIR