

May 23, 2024

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on May 23, 2024, 10:01 a.m. Present were Commissioners Christmann, Haugen-Hoffart and Fedorchak.

Minutes

Mr. Christmann: I move the minutes of April 29, 2024, be approved.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-23-320
Montana-Dakota Utilities Co.
Applied Digital 2nd Office - Dickey
County
Public Convenience & Necessity

Mr. Christmann: I move the Commission adopt the Order in Montana-Dakota Utilities Co., Applied Digital 2nd Office - Dickey County, Public Convenience and Necessity, Case No. PU-23-320.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-23-321
Montana-Dakota Utilities Co.
Applied Digital 2nd Data Processing
Extension
Public Convenience & Necessity

Mr. Christmann: I move the Commission adopt the Order in Montana-Dakota Utilities Co., Applied Digital 2nd Data Processing Extension, Public Convenience and Necessity, Case No. PU-23-321.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-23-337
Northern States Power Company
Saver Switch Tariff Modifications
Tariff

Mr. Christmann: I move the Commission acknowledge the withdrawal in Northern States Power Company, Saver Switch Tariff Modifications, Tariff, Case No. PU-23-337.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-24-165
Montana-Dakota Utilities Co.
Roger Hasse - Kidder County
Public Convenience & Necessity

Mr. Christmann: I move the Commission issue a Notice of Opportunity for Hearing in Montana-Dakota Utilities Co., Roger Hasse – Kidder County, Public Convenience & Necessity, Case No. PU-24-165.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-24-166
Montana-Dakota Utilities Co.
Tim Lauters - Kidder County
Public Convenience & Necessity

Mr. Christmann: I move the Commission issue a Notice of Opportunity for Hearing in Montana-Dakota Utilities Co., Tim Lauters – Kidder County, Public Convenience & Necessity, Case No. PU-24-166.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-24-167
Montana-Dakota Utilities Co.
Jeff Lauters - Kidder County
Public Convenience & Necessity

Mr. Christmann: I move the Commission issue a Notice of Opportunity for Hearing in Montana-Dakota Utilities Co., Jeff Lauters – Kidder County, Public Convenience & Necessity, Case No. PU-24-167.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-24-169
Montana-Dakota Utilities Co.
Matt Geiger (Lake Etta Estates) -
Dawson, ND
Public Convenience & Necessity

Mr. Christmann: I move the Commission issue a Notice of Opportunity for Hearing in Montana-Dakota Utilities Co., Matt Geiger (Lake Etta Estates) – Dawson, ND, Public Convenience & Necessity, Case No. PU-24-169.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-23-349
BNI Coal, Ltd.
Revision 11, Permit BNCR-1101
Application

Mr. Christmann: I move the Commission approve Revision No. 11 to Surface Coal Mining Permit BNCR-1101 held by BNI Coal, Ltd. for the Center Mine, to identify the next five-year coal removal areas and update mining and reclamation plans for the next permit term in BNI Coal, Ltd., Revision 11, Permit BNCR-1101, Application, Case No. RC-23-349.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-23-350
BNI Coal, Ltd.
Renewal 2, Permit BNCR-1101
Application

Mr. Christmann: I move the Commission approve Renewal 2 to Surface Coal Mining Permit BNCR-1101 held by BNI Coal, Ltd. for the Center Mine, to extend the permit term on the existing permit area for the next five years, until May 28, 2029, in BNI Coal, Ltd., Renewal 2, Permit BNCR-1101, Application, Case No. RC-23-350.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-23-351
Falkirk Mining Company
Revision 41, Permit NAFK-8705
Application

Mr. Christmann: I move the Commission approve Revision 41 to Surface Coal Mining Permit NAFK-8705 held by The Falkirk Mining Company, to update the legal, business and compliance information, identification of interests and right to entry, operation plans, surface water management, reclamation plans, and wetland design details for the next permit term in Falkirk Mining Company, Revision 41, Permit NAFK-8705, Application, Case No. RC-23-351.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-23-352
Falkirk Mining Company
Renewal 7, Permit NAFK-8705
Application

Mr. Christmann: I move the Commission approve Renewal 7 to Surface Coal Mining Permit NAFK-8705 held by Falkirk Mining Company for the Falkirk Mine, to extend the permit term for the next five years, until July 6, 2029, in Falkirk Mining Company, Renewal 7, Permit NAFK-8705, Application, Case No. RC-23-352.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-23-365
IM Telecom, LLC
Designated Eligible Carrier
Application

Mr. Christmann: I move the Commission adopt the Order on Eligible Telecommunications Carrier Designation in IM Telecom, LLC, Designated Eligible Carrier, Application, Case No. PU-23-365.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-24-168
Consolidated Communications
Networks, Inc.
Designated Eligible Carrier Expansion
Application

Mr. Christmann: I move the Commission issue a Notice of Opportunity for Hearing in Consolidated Communications Networks, Inc., Designated Eligible Carrier Expansion, Application, Case No. PU-24-168.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-24-188
Public Service Commission
Telecommunications Relay Service
Misc. Case

Mr. Christmann: I move the Commission publish notice of the 2024-2025 Telecommunications Relay Service Surcharge in the daily newspapers of general circulation in the state of North Dakota in Public Service Commission, Telecommunications Relay Service, Misc. Case, Case No. PU-24-188.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-23-322
Montana-Dakota Utilities Co.
Electric Service Agreement - Applied
Digital
Approval

Ms. Haugen-Hoffart: I move the Commission adopt the Order in Montana-Dakota Utilities Co., Electric Service Agreement – Applied Digital, Approval, Case No. PU-23-322.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-24-76
Otter Tail Power Company
My Renewable Energy Credits (My
RECs) Rider
Tariff and Rates

Ms. Haugen-Hoffart: I move the Commission adopt the Order in Otter Tail Power Company, My Renewable Energy Credits (My RECs) Rider, Tariff and Rates, Case No. PU-24-76.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-24-180
Northern States Power Company
AMI Self-Reading Tariff Modifications
Tariff

Ms. Haugen-Hoffart: I move the Commission suspend the tariff and issue a Notice of Opportunity for Hearing in Northern States Power Company, AMI Self-Reading Tariff Modifications, Tariff, Case No. PU-24-180.

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

Case No. PU-24-87
Badger Wind, LLC
Amend-Badger Wind Project-Logan &
McIntosh
Siting Application

Ms. Fedorchak: I move the Commission issue a Notice of Public Hearing in Badger Wind LLC, Amend-Badger Wind Project-Logan & McIntosh, Siting Application, Case No. PU-24-87.

Ms. Haugen-Hoffart: I second the motion.
Roll Call: All voting "Aye."

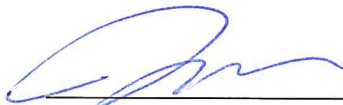
Office of Surface Mining
Ten Day Notice Rule

Ms. Haugen-Hoffart: I move the Commission delegate authority to Randy Christmann to determine whether to recommend North Dakota join Indiana, West Virginia, and Wyoming in challenging the Office of Surface Mining's final Ten Day Notice rule.

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

ATTEST

THE COMMISSION ADJOURNED AT 11:51 A.M.



Executive Secretary
General Counsel



RANDY CHRISTMANN, CHAIR