

February 25, 2004

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on February 25, 2004, 10:00 a.m. Present were Commissioners Clark, Wefald, and Cramer.

Minutes

Mr. Cramer: I move the minutes of February 12 and 13, 2004, be approved.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Bills

Mr. Cramer: I move the following bills, as reviewed by the Commission, be approved and paid:

Comp-e-ware Technology Associates, Inc.	2,024.00
Sears Commercial One	65.97
Rough Rider Industries	85.00
University of North Dakota	97.50
ND Newspaper Association	56.16
Cellular One	217.46
Leo Praus	443.20
Wilton Farmers Union Elevator Co.	1,550.00
Thompson Hine LLP	4,737.49

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-439-03-295
Local Competition
Investigation
Withdrawal

Mr. Cramer: I move the Commission grant Daktel Communications, L.L.C. and Polar Telcom, Inc.'s requests to withdraw their intervention in the Public Service Commission's local competition investigation, Case No. PU-439-03-295.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-64
Telephone Company of Central Florida, Inc.
Name Change
Application

Mr. Cramer: I move the Commission reissue Certificate of Registration No. 453 to Epicus, Inc., Case No. PU-04-64.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-57
Montana-Dakota Utilities Co., a
Division of MDU Resources Group, Inc
Electric Space Heating
Rates
Suspend

Mr. Cramer: I move the Commission suspend tariff revisions to Montana-Dakota Utilities Co.'s General Electric Space Heating Service Rate 32, Case No. PU-04-57

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-59
Otter Tail Corporation
Payment Policy Amendment
Tariff
Suspend

Mr. Cramer: I move the Commission suspend Otter Tail Corporation's Payment Policy Amendment tariff, Case No. PU-04-59.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-04-75
Gerald Green - Auctioneer
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Gerald Green, Billings, Montana, effective February 20, 2004.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-439-03-295
Local Competition
Investigation
Trade Secret

Mr. Clark: I move the Commission adopt the Order Granting Trade Secret Protection to Qwest Corporation in the Public Service Commission's Local Competition Investigation, Case No. PU-439-03-295.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-439-03-295
Local Competition
Investigation
Grant Stay

Mr. Clark: I move the Commission grant a stay in Case No. PU-439-03-295 for a length of time to be determined by future Commission action, not to exceed 60 days from today's date.

Mr. Cramer: I second the motion.

Roll Call: Mrs. Wefald votes "Nay".

Mr. Cramer votes "Aye".

Mr. Clark votes "Aye".

Case No. PU-1226-03-597
Northwest Dakota Cellular of North
Dakota Limited Partnership
Designated Eligible Carrier
Application

Mr. Clark: I move the Commission adopt the Order designating these companies as eligible telecommunications carriers for the purpose of receiving federal universal service support.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-386-03-598
North Central RSA 2 of North Dakota
Limited Partnership
Designated Eligible Carrier
Application

Case No. PU-897-03-599
North Dakota RSA No. 3 Limited
Partnership
Designated Eligible Carrier
Application

Case No. PU-1225-03-600
Badlands Cellular of North Dakota
Limited Partnership
Designated Eligible Carrier
Application

Cases Continued

Case No. PU-338-03-601
North Dakota 5 - Kidder Limited
Partnership
Designated Eligible Carrier
Application

Case No. PU-494-03-602
Bismarck MSA Limited Partnership
Designated Eligible Carrier
Application

Case No. GE-04-70
Farmers Union Oil and Grain,
LaMoure, ND
License No. 1023 - LaMoure, ND
Discontinue Business

Mr. Clark: I move the Commission issue an order in Case No. GE-04-70 granting the request of Farmers Union Oil and Grain, LaMoure, North Dakota, to discontinue business at LaMoure, North Dakota, effective February 18, 2004.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-22
Northern States Power Company
Recovery of Renewable Development
Cost
Tariff
Dismiss

Mrs. Wefald: I move the Commission dismiss, without prejudice, Northern States Power Company's Recovery of Renewable Development Cost tariff, Case No. PU-400-04-22.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

2004 Reclamation Award
Interstate Mining Compact Commission

Mrs. Wefald: I move the Commission forward the award nomination from the Coteau Properties Company to Interstate Mining Compact Commission for consideration for its 2004 Reclamation Award for Coal.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-58
Montana-Dakota Utilities Co., a
Division of MDU Resources Group, Inc
March 2004
Purchased Gas Adjust. Propane

Mr. Cramer: I move the Commission approve Montana-Dakota Utilities Co.'s propane purchased gas adjustment for March 2004, Case No. PU-04-58.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-61
Great Plains Natural Gas Co.
February 2004
Purchased Gas Adjustment

Mr. Cramer: I move the Commission approve Great Plains Natural Gas Co.'s purchased gas adjustment for February 2004, Case No. PU-04-61.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-2937-03-548
Beulah/Zap Phase VIII
2004-2007 AML Construction
Project
Construction Services

Mr. Cramer: I move the Commission authorize procurement of construction services for the Belfield Phase I, Beulah/Zap Phase VIII, Garrison Phase III, Columbus Phase VI and Snake Road Phase I sites using competitive sealed bidding procedures.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-2938-03-549
Garrison Phase III
2004-2007 AML Construction
Project

Case No. AM-2939-03-550
Columbus Phase VI
2004-2007 AML Construction
Project

Case No. AM-2940-03-551
Belfield Phase I
2004-2007 AML Construction
Project

Case No. AM-2941-03-552
Snake Road Phase I
2004-2007 AML Construction
Project

Case No. AM-2940-03-551
Belfield Phase I
2004-2007 AML Construction
Project
Appraisal Services

Mr. Cramer: I move the Commission authorize procurement of appraisal services for the Belfield 1 abandoned mine land sites located in Billings and Stark Counties using competitive sealed bidding procedures with solicitations by mail to qualified bidders.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Noonan
Tree & Shrub Planting Services
Award of Contract

Mr. Cramer: I move the Commission award a contract to the Divide County Soil Conservation District of the Natural Resources Conservation Service in the amount of \$4,960 for site preparation, tree and shrub planting, and weed barrier fabric installation services at the Noonan abandoned mine land site in Divide County.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

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ATTEST

THE COMMISSION ADJOURNED AT 11:40 A.M.

Executive Secretary

TONY T. CLARK, PRESIDENT