

May 3, 2005

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on May 3, 2005, 10:00 a.m. Present were Commissioners Clark, Wefald, and Cramer.

Minutes

Mr. Cramer: I move the minutes of April 20 and 25, 2005, 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:

Denise M. Andahl Inc.	272.00
MARC	700.00
Anthony T. Clark	208.45
James Deutsch	616.68
Alan Moch	309.60
Bill Eide	1,157.32
Mark Knell	167.34
Bruce Beechie	18.00
Larry Reisenauer	160.09
Rick Fillbrandt	300.69
Timothy Erdmann	618.19
Dean K. Moos	99.50
Stephan Schroeder	81.50
National Conference of Regulatory Attorneys	250.00
Bruce A. Johnson	33.12
William E. Dodd	12.00

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-228
Ernest Communications, Inc.
Long Distance/Local Exchange
Reseller
Application

Mr. Cramer: I move the Commission issue Certificates of Registration to Ernest Communications, Inc. to resell interexchange and local exchange telecommunications services in North Dakota, Case No. PU-05-228.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-231
IBFA Acquisition Company, LLC
Long Distance Reseller
Application

Mr. Cramer: I move the Commission issue a Certificate of Registration to IBFA Acquisition Company, LLC to resell interexchange and local exchange telecommunications services in North Dakota, Case No. PU-05-231.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-241
UCN, Inc.
Local Exchange Reseller
Application

Mr. Cramer: I move the Commission issue a Certificate of Registration to UCN, Inc. to resell local exchange telecommunications services in North Dakota, Case No. PU-05-241.

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

Case No. PU-05-250
Pacific Centrex Services, Inc.
Long Distance/Local Exchange
Reseller
Application

Mr. Cramer: I move the Commission issue Certificates of Registration to Pacific Centrex Services, Inc. to resell interexchange and local exchange telecommunications services in North Dakota, Case No. PU-05-250.

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

Case No. AU-05-248
William Jerome Bitz - Auctioneer
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for William Jerome Bitz, Harvey, ND.

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

Case No. AU-05-249
Gary Wayne Schepp - Auctioneer
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Gary Wayne Schepp, Fargo, ND.

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

Case No. GE-05-253
Commodities Specialists Company
Roving Grain Buyer - Minneapolis, MN
License Application

Mr. Cramer: I move the Commission approve the roving grain buyer license application for Commodity Specialists Company, Minneapolis, MN.

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

Case No. AU-05-257
Lancer Leonard LaBar
Auctioneer
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Lancer Leonard LaBar, White Earth, ND.

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

Case No. AU-05-258
Lancer Leonard LaBar
Auction Clerk
License Application

Mr. Cramer: I move the Commission approve the auction clerk license application for Lancer Leonard LaBar, White Earth, ND.

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

Case No. PU-05-177
Otter Tail Corporation
David Morstad, Hampden, ND
Public Convenience & Necessity

Mr. Cramer: I move the Commission adopt the Order issuing a Certificate of Public Convenience and Necessity authorizing Otter Tail Corporation to extend electric service to David Morstad for a grain bin site near Alsen, North Dakota, Case No. PU-05-177.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-04-597
Leith Phase 1
2005 AML Construction
Project

Mr. Cramer: I move the Commission award a contract to Quality Construction, Inc., PO Box 287, Sawyer, North Dakota 58781 in the amount of \$232,075 for construction services at the Leith Phase I abandoned mine land site in Grant County.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-04-598
Beulah/Zap Phase 9
2005 AML Construction
Project

Mr. Cramer: I move the Commission award a contract in the amount of \$254,975 to Thiem Drilling, Inc., 1502 West Broadway, Williston, ND 58801 for construction services at the Beulah/Zap Phase 9 abandoned mine land site in Mercer County.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-04-598
Beulah/Zap Phase 9
2005 AML Construction
Project

Mr. Cramer: I move the Commission award a contract to GeoServ, Inc. 3100 E. Broadway Avenue, Bismarck, North Dakota 58501 in the amount of \$13,650.20 for material testing services at the Beulah/Zap Phase 9 abandoned mine land site in Mercer County.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-04-599
Garrison Phase 4
2005 AML Construction
Project

Mr. Cramer: I move the Commission award a contract to Thiem Drilling, Inc., 1502 West Broadway, Williston, North Dakota 58801 in the amount of \$296,250 for construction services at the Garrison Phase 4 abandoned mine land site in McLean County.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-04-599
Garrison Phase 4
2005 AML Construction
Project

Mr. Cramer: I move the Commission award a contract to Material Testing Services, LLC, PO Box 634, Minot, ND 58702 in the amount of \$15,250 for material testing services at the Garrison Phase 4 abandoned mine land site in McLean County.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-04-540
Jeremy J. Ferderer, Auction Clerk
License No. 477
Complaint

Mr. Clark: I move the Commission issue an Order for Distribution of Proceeds and Dismissal of Complaint, in Case No. AU-04-540, Public Service Commission, Complainant, vs. Jeremy J. Ferderer, Auction Clerk, and Capitol Indemnity Corporation, Respondents.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-05-190
Martin Altendorf - Roving Grain Buyer
Suspension/Revocation

Mr. Clark: I move the Commission issue an order in Case No. GE-05-190 revoking roving grain buyer license number 3042 of Martin Altendorf, Minto, North Dakota; effective April 27, 2005, for failure to maintain adequate bond filing.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-400-03-256
Northern States Power Company
2002 Electric Operations
Annual Report

Mrs. Wefald: I move the Commission approve the order to revise Northern States Power Company's performance-based regulation plan, Case No. PU-400-03-256.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-124
Otter Tail Corporation
Transfer Siting Auth. for Balta
Switching Station
Application

Mrs. Wefald: I move the Commission adopt the Order in the joint application of Otter Tail Corporation and Northern States Power Company d/b/a Xcel Energy for transfer of siting authority for the Balta Switching Station located in Pierce County, North Dakota, Case No. PU-05-124.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-109
Basin Electric Power Coop Inc.
Antelope Valley Station Water Pipeline-
Mercer County.
Siting Application

Mr. Cramer: I move the Commission adopt the Findings of Fact, Conclusions of Law, and Order and issue a Route Permit granting authority to Basin Electric Power Cooperative to construct a raw water pipeline from Lake Sakakawea to the Antelope Valley Station in Mercer County, North Dakota.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-216
Montana-Dakota Utilities Co., a
Division of MDU
May 2005
Cost of Gas Adjustment/Propane

Mr. Cramer: I move the Commission approve Montana-Dakota Utilities Co.'s propane Cost of Gas adjustment for May 2005, Case No. PU-05-216.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-217
Montana-Dakota Utilities Co., a
Division of MDU
May 2005
Cost of Gas Adj./Natural Gas

Mr. Cramer: I move the Commission approve Montana-Dakota Utilities Co.'s Natural Gas Cost of Gas Adjustment for May 2005, Case No. PU-05-217.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Testing & Safety Division's New
Metrology Laboratory Criteria

Mrs. Wefald: I move the Commission approve the Testing & Safety Division's New Metrology Laboratory Criteria document, dated February 2005, as modified on May 3, 2005, as the minimum standard guideline to be used to develop engineered construction plans for the Commission's new metrology laboratory facility.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Testing & Safety Division's New
Metrology Laboratory Criteria

Mrs. Wefald: I move the Commission send a letter as modified to John Boyle.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 11:30 A.M.

Executive Secretary

TONY T. CLARK, PRESIDENT