

November 2, 2005

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on November 2, 2005, 10:00 a.m. Present were Commissioners Clark, Wefald, and Cramer.

Minutes

Mr. Cramer: I move the minutes of October 18, 21, 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:

The Best Present Company	990.00
Q & E, Inc.	1,430.00
Liberty Consulting Group	1,688.17
ND Newspaper Association	67.13
Cellular One	256.27
Thiem Drilling, Inc.	64,147.40
FedEx	13.05
Timothy Erdmann	939.09
David Bickel	22.50
Guy Welch	22.50
Dean K. Moos	98.47
Bruce Johnson	7.50
Bruce Beechie	185.00
William E. Dodd	77.50
Larry L. Larson	15.00
Sheila Hanson	7.50
Anthony T. Clark	66.36
Stephan A. Schroeder	92.06
Kevin Hanson	733.00
Lou Ogaard	7.50
Kevin Cramer	210.78
Rick Fillbrandt	496.25
Patrick Fahn	25.00
Leo Praus	486.00
James Deutsch	469.52
Susan E. Wefald	66.36
ND Risk Management	3,937.94
ND DOT	15,467.97
OMB 10/05 ups	11.31
Elan	2,810.55
Circle T Custom Dirtwork	23,320.00

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-620
New Edge Network, Inc./Qwest
Corporation
Commercial Line Sharing Agreement
Service Agreement(s)
Corrected Order

Mr. Cramer: I move the Commission adopt the
Corrected Order in this proceeding.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-05-571
Kevin Dangerud
Auctioneer
License Application

Mr. Cramer: I move the Commission approve the
auctioneer license application for Kevin Dangerud,
Hettinger, North Dakota.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-05-572
Kevin Dangerud
Auction Clerk
License Application

Mr. Cramer: I move the Commission approve the
auction clerk license application for Kevin Dangerud,
Hettinger, North Dakota.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-534
Montana-Dakota Utilities Co., a
Division of MDU
Mark & Shelley Yantzer, Mandan, ND
Public Convenience & Necessity

Mr. Cramer: I move the Commission adopt the
Order issuing a Certificate of Public Convenience and
Necessity authorizing Montana-Dakota Utilities Co. to
extend electric service to Mark and Shelly Yantzer for a
residential site near Mandan, North Dakota, Case No.
PU-05-534.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-542
Otter Tail Corporation
David Bjornson, Eckelson, 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 Bjornson for a residential site
near Eckelson, North Dakota, Case No. PU-05-542.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-05-568
BNI Coal, Ltd.
Variance Request, Permit No. BNCR-8106
Approval

Mr. Cramer: I move the Commission approve a
variance to the performance bond liability period for a
reclaimed access road and areas near a permanent
pond in Surface Coal Mining Permit No. BNCR-8106
held by BNI Coal, Ltd. for the Center Mine.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Blaster Certification/
Recertification
Approval

Mr. Cramer: I move the Commission approve the blaster certification/recertification of the following applicants:

Applicant	Affiliation	Certificate No.
October 17-19 Class/Test – Freedom Mine Certification		
Dave Blohm	Freedom Mine	05-10-277
Sheldon Cieslak	Freedom Mine	05-10-278
Recertification		
Victor Woeste	Freedom Mine	85-12-086-R(7)
Burl L. Sorenson	Falkirk Mine	93-11-213-R(4)
Bernell T. Heid	Falkirk Mine	99-10-232-R(2)
Ron Howell	Freedom Mine	99-10-233-R(2)
October 25 - 27 Class/Test - Falkirk Mine Certification		
Kim E. Ankenbauer	Falkirk Mine	05-10-279
Ryan M. Schmelt	Falkirk Mine	05-10-280
Recertification		
Leonard Pierce	Beulah Mine	85-07-015-R(7)
Rodney Enerson	Beulah Mine	93-10-205-R(4)
Rodney L. Wald	Falkirk Mine	93-11-209-R(4)
Casey Voigt	Beulah Mine	93-11-215-R(4)
Shilo Jasso	Pvt. Contractor	99-10-237-R(2)
Kent Allen Pyle	Pvt. Contractor	99-10-240-R(2)
Danny L. Walker	Pvt. Contractor	99-10-241-R(2)
Steve Bernhardt	Falkirk Mine	02-11-259-R(1)
Montie C. Galt	Falkirk Mine	02-11-260-R(1)
Carvel William Lick	Falkirk Mine	02-11-261-R(1)
Rod Zeien	Falkirk Mine	02-11-262-R(1)
Jay R. Ohm	Beulah Mine	02-11-263-R(1)

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

Case No. PU-05-514
811 Designation
Investigation

Mr. Clark: I move the Commission adopt the Order in Case No. PU-05-514.

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

Case No. AM-05-500
AML Maintenance
2005 Construction
Project

Mrs. Wefald: I move the Commission issue an Intent to Award a contract to Harold Erickson dba C & L Backhoe Service, PO Box 362, Stanton, ND 58571 in the amount of \$18,329.50 for construction services for maintenance work on abandoned mine land sites in western North Dakota.

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

Case No. AM-05-576
Williams County Road 9
2006 Phase 1 Construction
Project

Mrs. Wefald: I move the Commission approve Beulah/Zap Phase 10, Columbus Phase 7, and Williams County Road 9 Phase 1 for reclamation in 2006.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-05-578
Beulah/Zap
2006 Phase 10 Construction
Project

Case No. AM-05-579
Columbus
2006 Phase 7 Construction
Project

Case No. RC-04-672
Basin Cooperative Services
Bond Release No. 3, Permit 19A
Approval

Mr. Cramer: I move the Commission approve Bond Release No. 3 for Surface Coal Mining Permit No. 19A, held by Basin Cooperative Services for the Glenharold Mine, to release all reclamation liabilities on 174.54 acres located in portions of Sections 19, 20, 28, and 29, T144N, R84W, Mercer County. The amount of the bond release is \$45,153.39, and it will become effective December 5, 2005, unless a formal hearing is requested.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-05-173
GeoResources, Incorporated
Permit Application No. GRGR-0501
Approval

Mr. Cramer: I move the Commission conditionally issue Surface Coal Mining Permit No. GRGR-0501 to the GeoResources, Inc. to permit 160 acres at the GeoResources Mine and approve the collateral bond that has been provided for this permit.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

State Reclamation Award
2005 Award

Mr. Cramer: I move the Commission acknowledge the 2005 State Reclamation Award that was presented to Basin Cooperative Services.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Coal Mining Regulatory Program
2004 and 2005 Evaluation Reports

Mr. Cramer: I move the Commission accept the Office of Surface Mining's 2004 and 2005 Annual Evaluation Reports for the Coal Mining and Reclamation Regulatory Program.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Public Service Commission
Adopt Policies

Mr. Clark: I move the Commission approve the following revised policies:
1-02-94 (1) Non Employee Travel on Commission Sponsored Aircraft Trips Policy
1-02-94 (1) Non PSC Policy 1-07-82 (5), Travel
1-10-82 (4), Out of Office on State Business
3-10-00 (1), Employee Leave
3-11-96 (3), Work Week, Employee Hours, and Assignments

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-185
Plains Pipeline, L.P.
Buford Loop/McKenzie County
Siting Application
Travel Authorization

Mrs. Wefald: I move the Commission authorize Lawrence Bender, a non-state employee, to travel on the Commission chartered aircraft to Williston, North Dakota, to attend the November 3, 2005, hearing in Case No. PU-05-185; Plains Pipeline, L.P., Buford Loop/McKenzie County, Siting Application.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

ATTEST:

THE COMMISSION ADJOURNED AT 11:15 A.M.

Executive Secretary

TONY T. CLARK, PRESIDENT