

August 9, 2006

The Public Service Commission convened in the Conference Room D (Room 302), 3rd Floor, Judicial Wing, State Capitol, Bismarck on August 9, 2006, 10:00 a.m. Present were Commissioners Clark, Wefald, and Cramer.

Minutes

Mr. Cramer: I move the minutes of July 26 and July 28, 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:

JP Robbins	526.19
Leo D. Praus	195.04
Wayne Grangaard	743.13
Bill Eide	613.58
Phyllis G. Richter	474.49
Jim Deutsch	317.75
Tony Clark	487.44
Susan Wefald	790.49
ND Newspaper Association	715.78
Rick Fillbrandt	465.30
Grant County Soil Conservation District	6,491.52
Stephan A. Schroeder	30.00
David Bickel	15.00
Bruce Johnson	7.50
Dean K. Moos	15.00
Larry Reisenauer	904.88
Kevin Hanson	600.10
Mark Knell	347.30
Alan Moch	416.32
William E. Dodd	102.52
Timothy Erdmann	609.88
Guy Welch	102.75
NARUC	9,110.00
Dan's Building Specialties	14,000.00
Kirkwood Mall	451.00
OMB – rent	26,763.75
OMB – 7/06 supplies	213.50
OMB – 7/06 postage	944.49

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-06-324
Randy Scott Searer
Auctioneer
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Randy Scott Searer, Sidney, Montana.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-06-325
Patti Jo Searer
Auction Clerk
License Application

Mr. Cramer: I move the Commission approve the auction clerk license application for Patti Jo Searer, Sidney, Montana.

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

Case No. AU-06-326
Daniel Wayne Goss
Auctioneer
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Daniel Wayne Goss, Sidney, Montana.

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

Case No. AU-06-327
Choice Financial Group
Bank Auction Clerk
License Application

Mr. Cramer: I move the Commission approve the bank auction clerk license application for Choice Financial Group, Goodrich, North Dakota.

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

Case No. AU-06-338
Thomas L. Williams
Auctioneer
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Thomas L. Williams, Bixby, Oklahoma.

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

Case No. AU-06-339
Gary P. Hotovec
Auctioneer
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Gary P. Hotovec, Hutchinson, Minnesota.

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

Case No. AU-06-350
Yvette VanDerBrink
Auctioneer
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Yvette VanDerBrink, Hardwick, MN.

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

Case No. PU-06-273
Montana-Dakota Utilities Co., a
Division of MDU
Jack Knutson, Bismarck, ND
Public Convenience & Necessity

Mr. Cramer: I move the Commission acknowledge the withdrawal of the application for a Certificate of Public Convenience and Necessity for Jack Knutson, Bismarck, North Dakota by Montana-Dakota Utilities Co., Case No. 06-273 and close the case.

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

Case No. RC-06-295
Knife River Corporation
Var to Reveg Liability Period/Permit
KRG-8101
Approval

Mr. Cramer: I move the Commission approve a variance to the ten year performance bond liability period for approximately 7 acres of reclaimed land in portions of Sections 26 and 27, T131N, R99W, in Surface Coal Mining Permit No. KRG-8101 held by the Knife River Corporation for the Gascoyne Mine.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-06-332
Knight Seed Company, LLC
Roving Grain Buyer - Burnsville, MN
Discontinue Business

Mr. Clark: I move the Commission issue an order in Case No. GE-06-332 granting the request of Knight Seed Company, LLC, Burnsville, Minnesota, to discontinue business as a North Dakota roving grain buyer, effective August 1, 2006.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-06-333
Regent Grain Company
Grain Warehouse - Regent, ND
Discontinue Business

Mr. Clark: I move the Commission issue an order in Case No. GE-06-333 acknowledging the automatic discontinuance of business as a public grain warehouse for Regent Grain Company, Regent, North Dakota, effective August 1, 2006, for failure to file a license application renewal in a timely manner.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-06-334
Ostlund Chemicals Co. dba UAP
Northern Plains
Grain Warehouse - Valley City, ND
Discontinue Business

Mr. Clark: I move the Commission issue an order in Case No. GE-06-334 granting the request of Ostlund Chemicals Co. dba UAP Northern Plains to discontinue business at Valley City, North Dakota, effective August 1, 2006.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-06-335
UAP Distribution, Inc.
Grain Warehouse - Valley City, ND
License Application

Mr. Clark: I move the Commission issue an order in Case No. GE-06-335 granting the request of UAP Distribution, Inc., Greeley, Colorado, to operate an 88,000-bushel grain warehouse at Valley City, North Dakota, effective August 1, 2006.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-06-315
Montana-Dakota Utilities Co., a
Division of MDU
August 2006
Fuel Cost Adjustment

Discussion Items Only

Case No. PU-06-318
Otter Tail Corporation
August 2006
Fuel Cost Adjustment

Discussion Items Only Continued

Case No. PU-06-341
Northern States Power Company
August 2006
Fuel Cost Adjustment

Case No. PU-06-340
Northern States Power Company
August 2006
Cost of Gas Adjustment

Mr. Cramer: I move the Commission approve Northern States Power Company's Cost of Gas Adjustment for August 2006, Case No. PU-06-340.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-06-344
Great Plains Natural Gas Co.
August 2006
Cost of Gas Adjustment

Mr. Cramer: I move the Commission approve Great Plains Natural Gas Co.'s Cost of Gas adjustment for August 2006, Case No. PU-06-344.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-06-250
Royal Oak Enterprises, Incorporated
Notice of Violation No. 0602
Violation

Mr. Cramer: I move the Commission adopt an Order in Case No. RC-06-250, Notice of Violation No. 0602 issued to Royal Oak Enterprises, Inc., to affirm the violation, assess a \$250 civil penalty, and close the case.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-06-349
Enbridge Pipelines (North Dakota) LLC
Crude Oil Pump Stations-Mountrail,
McHenry, Ramsey, Grand Forks Ctys
Siting Application

Mr. Cramer: I move the Commission acknowledge Enbridge Pipelines (North Dakota) LLC's letter of intent to construct pump stations near Blaisdell, Denbigh, Penn and Larimore on its existing crude oil pipeline in Mountrail, McHenry, Ramsey, and Grand Forks Counties, waive the waiting period for filing a siting application, assess a filing fee of \$84,978, and issue a Notice of Opportunity for Hearing in Enbridge Pipelines (North Dakota) LLC's application for a corridor certificate and route permit, Case No. PU-06-349.

Mr. Clark: I second the motion.

Roll Call: Mr. Clark votes "Nay."

Mrs. Wefald votes "Nay."

Mr. Cramer votes "Aye."

Substitute Motion:

Mr. Clark: I move the Commission acknowledge Enbridge Pipelines (North Dakota) LLC's letter of intent to construct pump stations near Blaisdell, Denbigh, Penn and Larimore on its existing crude oil pipeline in

Mountrail, McHenry, Ramsey, and Grand Forks Counties, waive the waiting period for filing a siting application, assess a filing fee of \$84,978, and issue a Notice of Filing and Notice of Hearing in Enbridge Pipelines (North Dakota) LLC's application for a corridor certificate and route permit, Case No. PU-06-349.

Mrs. Wefald: I second the motion.

Roll Call: Mr. Clark votes "Aye."

Mrs. Wefald votes "Aye."

Mr. Cramer votes "Aye."

Employee Home Use of Computer Software Policy

Mr. Cramer: I move the Commission approve the following revised policy:

3-01-93 (2) Employee Home Use of Computer Software Policy

PUBLIC SERVICE COMMISSION

EMPLOYEE HOME USE OF COMPUTER SOFTWARE POLICY

POLICY 3-01-93 (2)

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Deleted: MARCH 6, 1996

A PURPOSE

To encourage employees to upgrade their computer skills to be more productive in their job duties.

B. POLICY

The Commission encourages all employees to spend the necessary time on the job to learn the new software applications whenever the opportunity is available without interfering with the daily work output expected to complete their work assignments on time.

Commission employees are encouraged to gain the necessary proficiency in the software applications. The Commission will allow employees to install software programs on their home computers. The employee must agree to abide by the terms of the licensing agreement of the software vendor, and also agree to indemnify the Commission against any loss or claim that may be made against the Commission as a result of any violation of the software licensing agreement.

A Commission employee wishing to use such software

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on his or her home computer must sign and date an agreement entitled "Home Use of Software by PSC Employee", a copy of which is attached to and made a part of this policy. The document will be filed with the executive secretary and will be voided upon termination of employment or changes in the licensing agreement with the software vendor. An employee using such software on his or her home computer who terminates employment or otherwise intends to cease using the software must sign and date a document entitled "Removal of Home Use Computer Software" affirming the removal of the software from the employee's home computer. This document is also attached to and made a part of this policy.

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REFERENCES

- (0) PSC Minutes, September 8, 1993
- (1) PSC Minutes, March 6, 1996
- (2) PSC Minutes, August 9, 2006

HOME USE OF SOFTWARE BY PSC EMPLOYEE

The North Dakota Public Service Commission has a policy which permits its employees to use on home computers software which is the property of the Commission. This usage must adhere strictly to any licensing or sales agreements which exist between the Commission and software manufacturers, and is intended solely for the private use of the employee.

The following practices and conditions must be understood and followed when using Commission software on home computers:

1. I understand that software usage at home is strictly voluntary on my part and is not a job requirement or job assignment. The sole purpose for permitting home usage is to allow those employees who have invested in personal computers the opportunity to use Commission software for familiarization and learning.
2. I understand that the policy of permitting home usage does not apply to computer hardware.
3. I have read and understood and agree to

abide by the terms of the licensing or distribution agreement for each software application owned by the Commission which is to be used at my home. I agree to be responsible for any losses to the Commission resulting from my violation of a software licensing agreement. I understand that the employee is responsible for knowing the restrictions on each piece of Commission software used at home and the differences between licensed software, shareware and public domain software.

4. I understand that home use means that one copy of the software may be installed on a computer belonging to me and housed in my residence. The software is to be used for private activities and not in conjunction with a commercial or business enterprise.
5. I understand that Commission employees are forbidden to loan or give away copies of Commission software except that unrestricted public domain software may be given to individuals or other government agencies in the normal course of Commission business.
6. I am reasonably familiar with computer usage and it is totally my responsibility to independently install and maintain any Commission software used at home. The Commission, the data processing staff, or other Commission employees have no responsibility for the installation, support, or successful use of software on home computers. All software is loaned "as is", and the Commission assumes no responsibility for losses or damages suffered directly or indirectly by the employee or others through the use or misuse of the software.
7. It is my responsibility to maintain the attached listing of each piece of Commission software, including public domain software assigned to the

Commission by another government agency, in use on my home computer.

I agree to the above conditions.

Signature

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REMOVAL OF HOME USE COMPUTER SOFTWARE

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Public Service Commission Policy 3-01-93 allows Commission employees to use on the employees' home computers software that is the property of the Commission or has been assigned to the Commission all of which is herein referred to as Commission owned software.

I, the undersigned employee, did exercise the right to install Commission owned software on my home computer, and did sign the "Home Use of Software by PSC Employee" agreement as provided for in the Commission's policy 3-01-93.

I hereby affirm that I have removed from my home computer all Commission owned software.

Deleted: , and that I have returned to the Commission all Commission owned software that has been in my possession

Signature Date

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

ATTEST

THE COMMISSION ADJOURNED AT 11:30 A.M.

Executive Secretary

TONY T. CLARK, PRESIDENT