

May 2, 2007

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on May 2, 2007, 10:00 a.m. Present were Commissioners Wefald and Cramer.

Minutes

Mr. Cramer: I move the minutes of April 19, 2007, be approved.

Mrs. Wefald: 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:

Pemberton Fabricators, Inc.	25,676.00
ND Newspaper Association	2,160.48
ND Surplus Property	100.00
Roughrider Industries	1,260.00
Brown & Saenger	536.82
Snavely King Majoros O'Connor & Lee, Inc.	4,400.00
Hanson's Excavating, Inc.	15,240.50
Stephan A. Schroeder	30.00
Tim Oswald	166.00
Bruce Beechie	91.30
Guy Welch	555.52
Mark Knell	326.61
Larry Reisenauer	376.24
Michael Berg	120.00
JP Robbins	267.50
Bill Eide	72.88
Leo D. Praus	495.00
Phyllis G. Richter	820.79
Timothy Erdmann	657.69
Rick Fillbrandt	330.25
D & P Terminal, Inc.	100.00
Bruce Johnson	15.00
William E. Dodd	322.08
OMB – 3/07 ups chgs	28.56
Office of Administrative Hearings	809.68

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-07-164

Larry P. Schroeder

Auctioneer & Auction Clerk Licenses
Cancellation

Mr. Cramer: I move the Commission issue an order in Case No. AU-07-164 canceling auctioneer license number 121 and auction clerk license number 200 issued to Larry P. Schroeder, Carrington.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-07-167
Jeffery A. Greig
Auctioneer
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Jeffery A. Greig, Rugby, North Dakota, effective April 26, 2007.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-07-159
Montana-Dakota Utilities Co., a
Division of MDU
May 2007
Fuel Cost Adjustment

Discussion Item Only

Case No. PU-07-173
Otter Tail Corporation
May 2007
Fuel Cost Adjustment

Case No. AM-07-72
Williams County Road 9
2007 Phase 2 Construction
Project

Mrs. Wefald: I move the Commission award a contract to Thiem Drilling Inc. in the amount of \$639,150 for construction services at the Williams County Road 9 Phase 2 AML site.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-07-72
Williams County Road 9
2007 Phase 2 Construction
Project

Mrs. Wefald: I move the Commission award a contract to Material Testing Services, LLC, in the amount of \$26,650 for material testing at the Williams County Road 9 Phase 2 AML site.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-07-73
Columbus
2007 Phase 8 Construction
Project

Mrs. Wefald: I move the Commission award a contract to Geray Dozing and Excavating in the amount of \$249,990 for construction services at the Columbus Phase 8 AML site.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-07-152
TransCanada Keystone Pipeline, LP
Keystone Pipeline
Public Convenience & Necessity

Mr. Cramer: I move the Commission issue a Notice of Opportunity for Hearing in TransCanada Keystone Pipeline, LLC's request for a certificate of public convenience and necessity for its Keystone Pipeline in Cavalier, Pembina, Walsh, Nelson, Steele, Barnes, Ransom, and Sargent Counties in North Dakota, Case No. PU-07-152.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-06-525
Northern States Power Company
Natural Gas Rate Increase
Application

Mr. Cramer: I move the Commission acknowledge the April 26, 2007 issuance of a Notice of Informal Hearing on Proposed Settlement in Northern States Power Company's Natural Gas Rate Increase application, Case No. PU-06-525.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-07-172
Northern States Power Company
May 2007
Cost of Gas Adjustment

Mr. Cramer: I move the Commission approve Northern States Power Company's Cost of Gas Adjustment for May 2007, Case No. PU-07-172.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-07-165
Bremen Elevator Company
License No. 322
Discontinue Business

Mr. Cramer: I move the Commission issue an order in Case No. GE-07-165 granting the request of Bremen Elevator Company to discontinue business at Bremen, North Dakota, effective April 30, 2007.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-07-166
Barlow Grain
Grain Warehouse - Bremen, ND
License Application

Mr. Cramer: I move the Commission issue an order in Case No. GE-07-166 granting the request of Barlow Grain, Carrington, North Dakota, to operate a 445,000-bushel grain warehouse at Bremen, North Dakota, effective April 30, 2007.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-06-481
Otter Tail Corporation
Advance Determination of Prudence
Application

Mr. Cramer: I move the Commission bill Otter Tail Corporation for costs incurred to date in Case No. PU-06-481, Otter Tail Corporation, Advance Determination of Prudence, Application.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-06-482
Montana-Dakota Utilities Co., a
Division of MDU
Advance Determination of Prudence
Application

Mr. Cramer: I move the Commission bill Montana-Dakota Utilities Co. for costs incurred to date in Case No. PU-06-482, Montana-Dakota Utilities Co., Advance Determination of Prudence, Application.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-06-525
Northern States Power Company
Natural Gas Rate Increase
Application

Mr. Cramer: I move the Commission bill Northern States Power Company for costs incurred to date in Case No. PU-06-525, Northern States Power Company, Natural Gas Rate Increase, Application.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2967-03-666
BEK Communications Cooperative, et al.
vs SmartNET, Inc.
Complaint

Mr. Cramer: I move the Commission bill the parties for costs incurred to date in PU 2967-03-666, BEK Communications Cooperative, et al. vs SmartNET, Inc., Complaint.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-449
Midcontinent Communications/Dakota Central Tele I
Rural Exemption
Complaint

Mr. Cramer: I move the Commission bill Midcontinent Communications and Dakota Central Telecom I, Inc. for costs incurred to date in Case No. PU-05-449, Midcontinent Communications/Dakota Central Telecom I, Inc., Rural Exemption, Complaint.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-451
Midcontinent Communications/ND Telephone Co.
Rural Exemption
Investigation

Mr. Cramer: I move the Commission bill Midcontinent Communications and North Dakota Telephone Company for costs incurred to date in Case No. PU-05-451, Midcontinent Communications/North Dakota Telephone Company, Rural Exemption, Investigation.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-546
Qwest Corporation vs.
Absaraka Co-operative Telephone Co. Inc. et al.
Complaint

Mr. Cramer: I move the Commission bill Qwest Corporation for costs incurred to date in Case No. PU-05-546, Qwest Corporation vs. Absaraka Co-operative Telephone Co. Inc. et al., Complaint.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-06-419
SRT Communications, Inc.
Designated Eligible Carrier
Application

Mr. Cramer: I move the Commission bill SRT Communications, Inc. for costs incurred to date in Case No. PU-06-419, SRT Communications, Inc., Designated Eligible Carrier, Application and Case No. PU-06-420, SRT Communications, Inc., Local Exchange, Public Convenience & Necessity.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-06-420
SRT Communications, Inc.
Local Exchange
Public Convenience & Necessity

Case No. PU-07-27
Midcontinent Communications/North
Dakota Telephone
Interconnection Agreement
Amendment
Application

Mr. Cramer: I move the Commission bill Midcontinent Communications and North Dakota Telephone Company for costs incurred to date in Case No. PU-07-27, Midcontinent Communications/North Dakota Telephone Company, Interconnection Agreement Amendment, Application.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-432-99-472
West River Telecommunications
Cooperative
Access
Tariff

Mr. Cramer: I move the Commission bill West River Telecommunications Cooperative and Qwest Corporation for costs incurred to date in Case No. PU-432-99-472, West River Telecommunications Cooperative, Access, Tariff.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-1540-99-473
West River Communications, Inc.
Access
Tariff

Mr. Cramer: I move the Commission bill West River Communications, Inc. and Qwest Corporation for costs incurred to date in Case No. PU-1540-99-473, West River Communications, Inc., Access, Tariff.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-426-99-481
Polar Communications Mutual Aid
Corporation
Access
Tariff

Mr. Cramer: I move the Commission bill Polar Communications Mutual Aid Corporation and Qwest Corporation for costs incurred to date in Case No. PU-426-99-481, Polar Communications Mutual Aid Corporation, Access, Tariff.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-418-99-490
BEK Communications Cooperative
Access
Tariff

Mr. Cramer: I move the Commission bill BEK Communications Cooperative and Qwest Corporation for costs incurred to date in Case No. PU-418-99-490, BEK Communications Cooperative, Access, Tariff.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-1680-99-491
BEK Communications I Inc.
Access
Tariff

Mr. Cramer: I move the Commission bill BEK Communications I, Inc. and Qwest Corporation for costs incurred to date in Case No. PU-1680-99-491, BEK Communications I, Inc., Access, Tariff.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-427-99-492
Reservation Telephone Cooperative
Access
Tariff

Mr. Cramer: I move the Commission bill Reservation Telephone Cooperative and Qwest Corporation for costs incurred to date in Case No. PU-427-99-492, Reservation Telephone Cooperative, Access, Tariff.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-431-99-493
United Telephone Mut Aid Corp
Access
Tariff

Mr. Cramer: I move the Commission bill United Telephone Mutual Aid Corporation and Qwest Corporation for costs incurred to date in Case No. PU-431-99-493, United Telephone Mutual Aid Corporation, Access, Tariff.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-1686-99-494
Turtle Mountain Communications, Inc.
Access
Tariff

Mr. Cramer: I move the Commission bill Turtle Mountain Communications, Inc. and Qwest Corporation for costs incurred to date in Case No. PU-1686-99-494, Turtle Mountain Communications, Inc., Access, Tariff.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-1682-99-495
Dakota Central Telecommunications
Cooperative
Access
Tariff

Mr. Cramer: I move the Commission bill Dakota Central Telecommunications Cooperative and Qwest Corporation for costs incurred to date in Case No. PU-1682-99-495, Dakota Central Telecommunications Cooperative, Access, Tariff.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2013-99-496
Consolidated Telcom, Inc.
Access
Tariff

Mr. Cramer: I move the Commission bill Consolidated Telcom, Inc. and Qwest Corporation for costs incurred to date in Case No. PU-2013-99-496, Consolidated Telcom, Inc., Access, Tariff.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-1264-99-497
North Dakota Telephone Company
Access
Tariff

Mr. Cramer: I move the Commission bill North Dakota Telephone Company and Qwest Corporation for costs incurred to date in Case No. PU-1264-99-497, North Dakota Telephone Company, Access, Tariff.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-1685-99-498
Inter-Community Telephone
Company II, L.L.C.
Access
Tariff

Mr. Cramer: I move the Commission bill Inter-Community Telephone Company II, LLC and Qwest Corporation for costs incurred to date in Case No. PU-1685-99-498, Inter-Community Telephone Company II, LLC, Access, Tariff.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-449-99-499
Inter-Community Telephone Company
Access
Tariff

Mr. Cramer: I move the Commission bill Inter-Community Telephone Company and Qwest Corporation for costs incurred to date in Case No. PU-449-99-499, Inter Community Telephone Company, Access, Tariff.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-1576-99-500
Dickey Rural Communications, Inc.
Access
Tariff

Mr. Cramer: I move the Commission bill Dickey Rural Communications, Inc. and Qwest Corporation for costs incurred to date in Case No. PU-1576-99-500, Dickey Rural Communications, Inc., Access, Tariff.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-421-99-501
Dickey Rural Telephone Cooperative
Access
Tariff

Mr. Cramer: I move the Commission bill Dickey Rural Telephone Cooperative and Qwest Corporation for costs incurred to date in Case No. PU-421-99-501, Dickey Rural Telephone Cooperative, Access, Tariff.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-1683-99-502
Dakota Central Telecom I, Inc.
Access
Tariff

Mr. Cramer: I move the Commission bill Dakota Central Telecom I, Inc. and Qwest Corporation for costs incurred to date in Case No. PU-1683-99-502, Dakota Central Telecom I, Inc., Access, Tariff.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-425-99-503
Northwest Communications
Cooperative
Access
Tariff

Mr. Cramer: I move the Commission bill Northwest Communications Cooperative and Qwest Corporation for costs incurred to date in Case No. PU-425-99-503, Northwest Communications Cooperative, Access, Tariff.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-419-99-504
Consolidated Telephone Co-operative
Access
Tariff

Mr. Cramer: I move the Commission bill Consolidated Telephone Co-operative and Qwest Corporation for costs incurred to date in Case No. PU-419-99-504, Consolidated Telephone Co-operative, Access, Tariff.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

THE COMMISSION RECESSED AT 11:15 A.M.

The Public Service Commission reconvened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on May 2, 2007, 3:00 p.m. Present were Commissioners Wefald and Cramer.

Case No. PU-06-421
TransCanada Keystone Pipeline, LLC
30-Inch Crude Oil Pipeline/Cavalier to
Sargent Cty
Siting Application

Mr. Cramer: I move the Commission approve the request of TransCanada Keystone Pipeline, LLC for a 1-mile corridor for purposes of the application for a Certificate of Corridor Compatibility for the construction of approximately 218 miles of 30-inch crude oil pipeline in Cavalier, Pembina, Walsh, Nelson, Steele, Barnes, Ransom, and Sargent Counties of North Dakota, conditioned upon a requirement to conduct detailed study(s) of areas outside the 1-mile corridor with respect to potential adjustments to the pipeline route, Case No. PU-06-421.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-06-421
TransCanada Keystone Pipeline, LLC
30-Inch Crude Oil Pipeline/Cavalier to
Sargent Cty
Siting Application

Mr. Cramer: I move the Commission deem the application complete and issue a Notice of Filing and Notice of Hearing in the application of TransCanada Keystone Pipeline, LLC for a waiver of procedures and time schedules, a corridor certificate and a route permit authorizing construction of approximately 218 miles of 30-inch crude oil pipeline in Cavalier, Pembina, Walsh, Nelson, Steele, Barnes, Ransom, and Sargent Counties of North Dakota, Case No. PU-06-421.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 3:05 P.M.

Executive Director

SUSAN E. WEFALD, PRESIDENT