

October 3, 2007

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on October 3, 2007, 10:00 a.m. Present were Commissioners Wefald, Cramer, and Clark.

Minutes

Mr. Cramer: I move the minutes of September 19 and 25, 2007, 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:

Zones, Inc.	7,142.32
IMCC	100.00
Geray Dozing & Excavating	12,239.06
NARUC	1,711.00
Applied Engineering Incorporated	2,642.00
ND Newspaper Association	511.84
Tim Oswald	35.00
Kraig Nelson	15.00
William E. Dodd	15.00
Stephan A. Schroeder	45.00
Guy Welch	22.50
Leo D. Praus	373.44
Rick Fillbrandt	1,038.31
Timothy Erdmann	1,141.94
Kevin Hanson	211.44
JP Robbins	737.10
Larry Reisenauer	1,022.23
Mark Knell	485.45
Bruce Johnson	15.00
Bruce Beechie	22.50
Anthony T. Clark	116.44
James Deutsch	415.76
Alan Moch	326.28
Michael Berg	87.50
OMB – training	316.00
OMB – 08 Risk Management	3,323.93
GE Corporate Payment Services	4,178.07
CWMA/MidMAP	85.00

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-06-486
Accounting, Electric and Gas
Rulemaking

Case No. PU-06-490
Public Utilities - Electric
Rulemaking

Case No. PU-06-501
Public Utilities - Siting
Rulemaking

Case No. GS-06-510
Gas Pipeline Safety
Rulemaking

Case No. RC-07-163
Reclamation
Rulemaking

Case No. WM-07-203
Weights and Measures
Rulemaking

Case No. PU-07-641
EPA Act Section 1252 Smart Metering
Standard
Rulemaking

Case No. PU-07-642
Wind Turbine Decommissioning
Rulemaking

Case No. PU-07-624
Montana-Dakota Utilities Co.,
a Division of MDU
Jason Hutchinson - Killdeer, ND
Public Convenience & Necessity

Mr. Cramer: I move the Commission propose the following amendments to the North Dakota Administrative Code, schedule a hearing for 1:00 p.m., CST, on November 26, 2007, issue a Notice of Intent to Adopt, Amend, and Repeal Administrative Rules and Notice of Public Hearing, and issue an abbreviated Notice of Intent to Adopt, Amend, and Repeal Administrative Rules and Notice of Public Hearing for publication in each official county newspaper throughout the state as required by law.

Article 69-05.2 Amendments to Reclamation Rules

Article 69-06.1 Amendments to Siting Rules

Article 69-09 Amendments to Gas Safety, and Electric and Gas Public Utility Rules

Article 69-10 Amendments to Weights and Measures Rules

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Mr. Cramer: I move the Commission adopt the Order and issue a Certificate of Public Convenience and Necessity authorizing Montana-Dakota Utilities Co., a Division of MDU Resources Group, to extend electric service to Jason Hutchinson at a residence in the SE ¼ of NE ¼, Section 30, Township 145N, Range 94W, Dunn County, North Dakota, Case No. PU-07-624.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-07-640
Otter Tail Corporation
Spiritwood Station, Spiritwood, ND
Public Convenience & Necessity

Mr. Cramer: I move the Commission adopt the Order and issue a Certificate of Public Convenience and Necessity authorizing Otter Tail Corporation to extend electric service to Spiritwood Station near the town of Spiritwood in Stutsman County, North Dakota, Case No. PU-07-640.

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

Case No. PU-07-503
Otter Tail Corporation
Spirit Ethanol - Spiritwood, ND
Public Convenience & Necessity

Mr. Cramer: I move the Commission permit the withdrawal of Northern Plains Electric Cooperative, Inc.'s objection and cancel the hearing previously noticed for October 5, 2007 in the application of Otter Tail Corporation for a certificate of public convenience and necessity to provide electric service to Spirit Ethanol, Case No. PU-07-503.

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

Case No. GS-07-674
2008 Federal/State Gas Pipeline
Safety Grant Application

Mr. Cramer: I move the Commission submit the 2008 Federal/State Gas Pipeline Safety Grant Application in the amount of \$86,060 to the U.S. Department of Transportation, Office of Pipeline Safety, Washington, D.C. for the operation and management of the 2008 North Dakota intrastate gas pipeline safety program.

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

Case No. AU-07-684
Jacee Lynn Lund
Auctioneer
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Jacee Lynn Lund, Carrington, North Dakota, effective September 19, 2007.

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

Case No. AU-07-695
Andy Mrnak
Auctioneer
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Andy Mrnak, Bowman, North Dakota.

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

Case No. AU-07-696
Botsford & Qualey Land Company
Auction Clerk
License Application

Mr. Cramer: I move the Commission approve the auction clerk license application for Botsford & Qualey Land Company, Grand Forks, North Dakota.

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

Case No. GE-07-691
Sunbird, Inc.
Roving Grain Buyer - Huron, SD
License Application

Mr. Cramer: I move the Commission approve the roving grain buyer license application for Sunbird, Inc., of Huron, South Dakota.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-07-690
NFO Members Grain, Inc.
Roving Grain Buyer - Ames, IA
License Application

Mr. Cramer: I move the Commission approve the roving grain buyer license application for NFO Members Grain, Inc., of Ames, Iowa.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Fuel Cost and Purchased Gas Billing
Adjustments

Mrs. Wefald: I move the Commission send a letter informing MDU/Great Plains, NSP and Otter Tail that it will continue to review monthly FCA and PGA billing adjustments, but will no longer take formal action to approve the adjustments.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-07-607
Otter Tail Corporation
40.5 MW Otter Tail Project,
Cavalier County
Public Convenience & Necessity

Mrs. Wefald: I move the Commission issue a Notice of Opportunity for Hearing in the application of Otter Tail Corporation for a certificate of public convenience and necessity to construct and own a 40.5 MW portion of the 159 MW Langdon Wind Energy Center being developed in Cavalier County, North Dakota, Case No. PU-07-607.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-07-682
Capital Electric Cooperative Inc. vs
Montana-Dakota Utilities Co./
Promontory Point IV
Complaint

Mrs. Wefald: I move the Commission find the complaint filed by Capital Electric Cooperative, Inc. regarding the provision of electric service to Promontory Point IV Addition to the City of Bismarck states a prima facie case, and serve the complaint on Montana-Dakota Utilities Co., Case No. PU-07-682.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-07-610
AML Maintenance
2007 Construction
Project

Mrs. Wefald: I move the Commission issue an Intent to Award a contract to T & C Drilling, Inc. in the amount of \$75,490.00 for exploratory drilling at two abandoned mine land sites in Mercer and McLean Counties.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-07-610
AML Maintenance
2007 Construction
Project

Mrs. Wefald: I move the Commission issue an Intent to Award a contract to Hanson's Excavating, Inc. in the amount of \$10,800.00 for sinkhole filling at abandoned mine land sites in Ward County.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-07-610
AML Maintenance
2007 Construction
Project

Mrs. Wefald: I move the Commission issue an Intent to Award a contract to Hanson's Excavating, Inc. in the amount of \$21,187.50 for sinkhole filling at abandoned mine land sites in Williams and Divide Counties.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. GS-07-24
Montana-Dakota Utilities Co./
Great Plains Natural Co.
Request for Waiver
Approval

Mr. Cramer: I move the Commission adopt the Order granting the request of Montana-Dakota Utilities Co. and Great Plains Natural Gas Co. for a waiver of 49 CFR Part 192.481 changing the times to complete atmospheric corrosion surveys in both their residential areas and business districts to coincide with the required leak surveys in those areas.

Mr. Clark: I second the motion.

Roll Call: No Vote – Held Over to the Admin Agenda

Case No. PU-07-646
Great Plains Natural Gas Co.
September 2007
Cost of Gas Adjustment

Discussion Item Only

Case No. GE-07-675
Plains Grain & Agronomy, LLC
License # 1116 - Kathryn, ND
Discontinue Business

Mr. Clark: I move the Commission issue an order in Case No. GE-07-675 granting the request of Plains Grain & Agronomy, LLC, Enderlin, North Dakota, to discontinue business at Kathryn, North Dakota

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Temporary Work Hours
AML Employee

Mr. Cramer: I move the Commission approve a temporary flex work schedule for Position No. 5025 to allow the working of four ten-hour days for three weeks in the month of October.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-06-499
Public Service Commission
Public Utilities – Applications
Rulemaking

Mr. Cramer: I move the Commission close Case No. PU-06-499, Public Service Commission, Public Utilities – Applications, Rulemaking.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. GS-07-24
Montana-Dakota Utilities Co./
Great Plains Natural Gas Co.
Request for Waiver
Approval

Mr. Cramer: I move the Commission adopt the Order granting the request of Montana-Dakota Utilities Co. and Great Plains Natural Gas Co. for a waiver of 49 CFR Part 192.481 changing the times to complete atmospheric corrosion surveys in both their residential areas and business districts to coincide with the required leak surveys in those areas.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 11:30 A.M.

Executive Director

SUSAN E. WEFALD, PRESIDENT