

July 2, 2008

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on July 2, 2008, 10:00 a.m. Present were Commissioners Cramer and Clark. Commissioner Wefald participated by telephone and authorized her administrative assistant to sign contracts and orders on her behalf.

Minutes

Mr. Cramer: I move the minutes of June 19, 2008, 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:

Gratech Company, Ltd.	62,188.01
ND Newspaper Association	235.56
Sybase, Inc.	6,995.52
Snavelly King Majoros O'Connor & Lee, Inc.	17,450.00
Raymond Kelsch	604.93
Mark Knell	473.28
Guy Welch	141.00
Bruce Beechie	75.00
William T. Gunnerson	105.00
Anthony T. Clark	665.33
Susan E. Wefald	701.04
William E. Dodd	169.42
Michael Berg	120.00
Material Testing Services, LLC	4,871.00
Stephan A. Schroeder	2,198.05
Dean Moos	30.00
Leo Praus 7/08 advance	584.50
Jerry Lein	100.50
Alan Moch	657.50
Illona Jeffcoat-Sacco	1,185.24
B & C Concrete Pumping, Inc.	212,809.52
OMB – 5/08 supplies	356.20
OMB – 6/08 supplies	858.12
Attorney General's Office	724.40
GE Corporate Payment Services	10,530.16

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-08-378  
Thompsons USA Limited  
Roving Grain Buyer –  
East Grand Forks, MN  
License Application

Mr. Cramer: I move the Commission approve the roving grain license application for Thompsons USA Limited of East Grand Forks, Minnesota, effective July 1, 2008.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-08-200  
Otter Tail Corporation  
Otter Tail 48 MW Project - Wind  
Public Convenience & Necessity

Mr. Clark: I move the Commission adopt the Order Granting Certificate of public convenience and necessity for Otter Tail Corporation to construct and own a 48 MW portion of the Ashtabula Wind Energy Center in Barnes County, North Dakota, Case No. PU-08-200.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-08-375  
FPL Energy, LLC  
Wind Energy - Ellendale, ND  
Siting Application

Mr. Clark: I move the Commission acknowledge the Letter of Intent, shorten the one year waiting period between filing a letter of intent and a siting application to one day, and assess a filing fee of \$100,000 in Case No. PU-08-375, FPL Energy LLC's proposed 150 MW wind farm in Dickey County, North Dakota.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-08-400  
FPL Energy, LLC  
1000 MW Wind Farm - Oliver County,  
ND  
Siting Application

Mr. Clark: I move the Commission acknowledge the Letter of Intent and assess a filing fee of \$100,000 in Case No. PU-08-400, FPL Energy LLC's proposed 1000 MW wind farm in Oliver County, North Dakota.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-08-215  
Montana-Dakota Utilities Co.,  
a Division of MDU  
June 2008  
Fuel Cost Adjustment

Discussion Only

Case No. PU-08-228  
Otter Tail Corporation  
June 2008  
Fuel Cost Adjustment

Case No. PU-08-236  
Northern States Power Company  
June 2008  
Fuel Cost Adjustment

Case No. PU-08-358  
Montana-Dakota Utilities Co.,  
a Division of MDU  
Recovered Energy Generator Facility  
Public Convenience & Necessity

Mr. Clark: I move the Commission issue a Notice of Opportunity for Hearing in the Application of Montana-Dakota Utilities Co. for a certificate of public convenience and necessity to own and operate a recovered energy generator and associated transmission facilities in Morton County, North Dakota, Case No. PU-08-358.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-07-791  
Enbridge Pipelines (North Dakota) LLC  
Pump Station Upgrades  
Siting Application

Mr. Cramer: I move the Commission adopt the Order Granting a Certificate of Corridor Compatibility and a Route Permit in Enbridge Pipelines (North Dakota) LLC's application to upgrade pump stations, Case No. PU-07-791

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

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

Mr. Cramer: I move the Commission adopt the Fourth Supplemental Order in TransCanada Keystone Pipeline, LP's application to construct and operate a 218-mile, 30-inch crude oil pipeline in Cavalier to Sargent Counties, North Dakota, granting TransCanada's request for additional temporary workspace at shelterbelt crossings, Case No. PU-06-421.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-08-377  
Thompsons USA Limited  
License No. 1159 - Colgate, ND  
Discontinue Business

Mr. Clark: I move the Commission issue an order in Case No. GE-08-377 granting the request of Thompsons USA Limited, East Grand Forks, Minnesota, to discontinue business at Colgate, North Dakota, effective July 1, 2008.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-08-417  
St Thomas Grain, Inc.  
License No. 207 - St. Thomas, ND  
Discontinue Business

Mr. Clark: I move the Commission issue an order in Case No. GE-08-417 granting the request of St Thomas Grain, Inc. to discontinue business at St. Thomas, North Dakota, effective July 1, 2008.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Rescind Executive Secretary,  
Executive Director and  
Director of Public Utilities Appointments  
Appoint Director of the Legal Division

Mr. Cramer: I move the Commission rescind the appointment of Illona A. Jeffcoat-Sacco as Executive Secretary, Executive Director and Director of Public Utilities; appoint Illona A. Jeffcoat-Sacco Director of the Legal Division; authorize Illona A. Jeffcoat-Sacco to act as Executive Secretary in the absence of the Executive Secretary; recognize her title General Counsel; and authorize a salary adjustment for Illona A. Jeffcoat-Sacco reflecting her acceptance of the position of General Counsel, all effective 1 July 2008.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Interim Executive Secretary and Interim  
Director of Administration

Mr. Cramer: I move the Commission appoint Gloria Geiger as Interim Executive Secretary and Interim Director of Administration, and authorize a temporary salary adjustment reflecting these appointments effective 1 July 2008, until a final decision is made concerning these positions.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Interim Director of Compliance and  
Competitive Markets

Mr. Cramer: I move the Commission appoint Patrick Fahn as Interim Director of Compliance and Competitive Markets and authorize a temporary salary adjustment reflecting this appointment effective 1 July 2008 until 1 September 2008.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Interim Director of Economic  
Regulation

Mr. Cramer: I move the Commission appoint Mike Diller as Interim Director of Economic Regulation and authorize a temporary salary adjustment reflecting this appointment effective 1 July 2008 until 1 September 2008.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Salary Adjustments

Mr. Cramer: I move the Commission, consistent with the intent of the 2007 Legislature, grant a salary increase effective 1 July 2008 to all non-probationary, permanent employees whose documented performance levels meet standards, as specified in the Executive Director's written summary of the Commission's 26 June 2008 working session, with attachments.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

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ATTEST

THE COMMISSION ADJOURNED AT 11:15 A.M.

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Executive Director

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SUSAN E. WEFALD, PRESIDENT