

July 16, 2008

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on July 16, 2008, 10:00 a.m. Present were Commissioners Wefald, Cramer and Clark.

Minutes

Mr. Cramer: I move the minutes of July 2, 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:

Presort Plus	45.28
MVTL Laboratories, Inc.	44.00
ND Newspaper Association	966.63
Wayne Grangaard	309.00
Leo D. Praus	217.40
Phyllis G. Richter	1,046.85
Rick Fillbrandt	329.50
Timothy Erdmann	1,356.86
JP Robbins	698.11
DLT Solutions, Inc.	2,290.52
Interstate Mining Compact Commission	13,562.00
Bain Agency, Inc.	553.49
Grant County Soil Conservation District	54.00
Gratech Company, Ltd.	105,377.03
B & C Concrete Pumping, Inc.	20,000.00
NARUC	7,955.00
Timothy Oswald	1,382.50
Bruce Johnson	22.50
Attorney General's Office	2,972.78
OAH	3,115.91
OMB – 6/08 ups	26.00
ND Geological Survey	432.62
ITD – 6/08 microfilm	241.65
OMB – SWICAP	4,599.00
Dept. of Insurance	521.22
ITD – 6/08 dp	3,459.84
OMB – rent	37,806.73
ITD – 6/08 ph	1,719.59
OMB – 6/08 postage	1,048.96
DOT	15,356.33

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-07-762
Otter Tail Corporation
Gaye Swanson, Wheatland 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 Gaye Swanson for a location at 3099 Stevens St., near Wheatland, North Dakota, Case No. PU-07-762.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-07-763
Otter Tail Corporation
Gaye Swanson, Wheatland 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 Gaye Swanson for a location at 3070 Stevens St., near Wheatland, North Dakota, Case No. PU-07-763.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-07-775
Montana-Dakota Utilities Co.,
a Division of MDU
Kulm Municipal Airport, Kulm ND
Public Convenience & Necessity

Mr. Cramer: I move the Commission adopt the Order and issue a Certificate of Public Convenience and Necessity authorizing Montana-Dakota Utilities Co. to extend electric service to Kulm Municipal Airport for a location in LaMoure County, North Dakota, Case No. PU-07-775.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-07-793
Montana-Dakota Utilities Co.,
a Division of MDU
Eighty Oil Company, Stanley ND
Public Convenience & Necessity

Mr. Cramer: I move the commission adopt the Order and issue a Certificate of Public Convenience and Necessity authorizing Montana-Dakota Utilities Co. to extend electric service to Eighty Eight Oil Company for a location in Mountrail County, North Dakota, Case No. PU-07-793.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-08-21
Otter Tail Corporation
Scott Soulis, Casselton 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 Scott Soulis for a location in Stutsman County, North Dakota, Case No. PU-08-21.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-08-79
Otter Tail Corporation
Design 1, Dazey 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 Design 1 for a location in Barnes County, North Dakota, Case No. PU-08-79.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-08-152
Otter Tail Corporation
Bob Satrom, Ayr, 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 Bob Satrom for a location in Cass County, North Dakota, Case No. PU-08-152.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-08-187
Montana-Dakota Utilities Co.,
a Division of MDU
Kelly Schaeffer, Mandan, 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 Kelly Schaeffer for a location in Morton County, North Dakota, Case No. PU-08-187.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-08-201
Otter Tail Corporation
Craig Reamann, Wahpeton, 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 Craig Reamann for a location in Richland County, North Dakota, Case No. PU-08-201.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-08-208
Otter Tail Corporation
Steve Koenig
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 Steve Koenig for a location in Richland County, North Dakota, Case No. PU-08-208.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-08-81
American Colloid Co.
Liability Period Variance-
Permit BDSU-8011
Approval

Mr. Cramer: I move the Commission approve a variance to the performance bond liability period for 1.44 acres located in Section 8, T129N, R94W within Permit No. BDSU-8011 held by the American Colloid Company.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-08-390
BNI Coal, Ltd.
Liability Period Variance, Permits
BNCR 8106,8006,8202
Approval

Mr. Cramer: I move the Commission approve a variance to the performance bond liability period for 31.88 acres located in Section 26, T142N, R84W within Surface Coal Mining Permits BNCR-8202, BNCR-8106 and BNCR-8006 held by BNI Coal, Ltd. for the Center Mine.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-08-474
Rodney Burgad dba Burgad
Auction & Clerking Service
Auction Clerk
License Application

Mr. Cramer: I move the Commission approve the auction clerk license application for Rodney Burgad dba Burgad Auction & Clerking Service, Wishek, North Dakota, effective July 7, 2008.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-08-475
Gary Marvin Walks
Auctioneer
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Gary Marvin Walks, Burlington, North Dakota, effective July 7, 2008.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-08-515
Mark Hove
Auction Clerk
License Application

Mr. Cramer: I move the Commission approve the auction clerk license application for Mark Hove, Sisseton, South Dakota.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-08-11
AML Maintenance
2008 Construction
Project

Mrs. Wefald: I move the Commission issue intent to award contracts to Hanson's Excavating, Inc. for the 2008 Maintenance Sinkholes 1 and 2008 Maintenance Sinkholes 2 – AML projects that involve sinkhole filling at several abandoned underground mines in western North Dakota.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-08-159
Otter Tail Corporation
Partial Transfer of Site Certificate
Siting Application

Mrs. Wefald: I move the Commission adopt the Order granting Partial Certificate Transfer and issue certificates of site compatibility to authorize the transfer of ownership to Otter Tail Corporation of a 40.5 MW portion of the Langdon Wind Energy Center in Cavalier County, North Dakota, Case No. PU-08-159.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-08-345
Montana-Dakota Utilities Co.,
a Division of MDU
Ryan Edwardson, Kidder County,
North Dakota
Public Convenience & Necessity

Case No. PU-08-346
Montana-Dakota Utilities Co.,
a Division of MDU
Corey Fanta, Kidder County,
North Dakota
Public Convenience & Necessity

Case No. PU-08-347
Montana-Dakota Utilities Co.,
a Division of MDU
Mike Mittleider, Kidder County,
North Dakota
Public Convenience & Necessity

Case No. PU-08-374
Montana-Dakota Utilities Co.,
a Division of MDU
July 2008
Fuel Cost Adjustment

Case No. PU-08-399
Otter Tail Corporation
July 2008
Fuel Cost Adjustment

Case No. PU-08-426
Northern States Power Company
July 2008
Fuel Cost Adjustment

Case No. RC-06-428
Coteau Properties Company
Bond Release 3, Permit NACT-8601
Approval

Mrs. Wefald: I move the Commission issue a Notice of Hearing in Montana-Dakota Utilities Co.'s applications for certificates of public convenience and necessity to provide electric service at locations in Kidder County, North Dakota, Case No. PU-08-345, PU-08-346, and PU-08-347.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Discussion Only

Mr. Cramer: I move the Commission approve Bond Release No. 3 for Surface Coal Mining Permit No. NACT-8601, held by the Coteau Properties Company for the Freedom Mine, to release all reclamation liabilities on 397.567 acres located in Mercer County in the NW¼ and E½ of Section 7, T145N, R87W. No reduction in the bond amount was requested and the release of reclamation liabilities will become effective August 18, 2008, unless a formal hearing is requested.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-08-115
Request for Proposal for
Siting Services
Contract

Hold Over

Case No. PU-08-424
Plains All American Pipeline, LP
6-Inch Crude Oil Pipeline –
Dunn-Stark Counties
Siting Application

Mr. Cramer: 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 \$80,000 in Case No. PU-08-424, Plains All American Pipeline, LP's proposed 6-inch crude oil pipeline in Dunn and Stark Counties, North Dakota.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-08-459
Great Plains Natural Gas Co.
July 2008
Cost of Gas

Discussion Only

Case No. PU-08-477
Montana-Dakota Utilities Co.,
a Division of MDU
August 2008
Cost of Gas / Propane

Case No. PU-08-478
Northern States Power Company
July 2008
Cost of Gas

ATTEST

THE COMMISSION ADJOURNED AT 11:36 A.M.

Interim Executive Secretary

SUSAN E. WEFALD, PRESIDENT