

July 30, 2008

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on July 30, 2008, 10:00 a.m. Present were Commissioners Wefald, Cramer. Commissioner Clark participated by telephone and authorized his administrative assistant to sign orders and contracts on his behalf.

Minutes

Mr. Cramer: I move the minutes of July 14, 16, 17, 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:

Sybase IAD Subscription Services	2,685.02
Gratech Company, Inc.	93,422.63
Watford City Ready Mix, Inc.	5,243.00
NARUC	1,980.50
Charlene Magstadt	116.50
Leo Praus – 8/08 advance	534.00
Alltel	385.52
Susan E. Wefald	1,254.02
Tom Rafferty	200.50
Snavelly King Majoros O'Connor & Lee, Inc.	19,712.28
AVI Systems	412.50
Miller & Associates	1,260.00
Regional Oversight Committee	150.00
Annette Bendish	521.50
OMB- 6/08 central duplicating	14.00

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-08-80
Otter Tail Corporation
Luke Spitzer, Kensal ND
Public Convenience & Necessity

Mr. Cramer: I move the Commission adopt the Order Granting Otter Tail Corporation's request to withdraw its application for a Certificate of Public Convenience and Necessity to extend electric service to Luke Spitzer for a residential site near Kensal, Stutsman County, North Dakota, Case No. PU-08-80.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-08-237
Montana-Dakota Utilities Co.,
a Division of MDU
Cogeneration / Small Power Producer
Rates

Mr. Cramer: I move the Commission approve Montana-Dakota Utilities Co.'s Cogeneration/Small Power Producer rates, Case No. PU-08-237.

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 approve the request of TransCanada Keystone Pipeline, LP to withdraw its July 10, 2008 Motion for Approval of Pending Route Refinement, Case No. PU-06-421.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-08-224
Falkirk Mining Company
Liability Period Variance –
Permit NAFK-8705
Approval

Mr. Cramer: I move the Commission approve a variance to the performance bond liability period for 12 acres of reclaimed land located in Section 1, T145N, R83W, within Surface Coal Mining Permit NAFK-8705 held by the Falkirk Mining Company.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-08-585
Darlene L. Flaig dba Kastet
Auction Clerking
Auction Clerk
License Application

Mr. Cramer: I move the Commission approve the auction clerk license application for Darlene L. Flaig dba Kastet Auction Clerking, Jamestown, North Dakota.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-08-590
Joe Lissolo
Auctioneer & Auction Clerk License
Cancellation

Mr. Cramer: move the Commission issue an order in Case No. AU-08-590 canceling auctioneer license number 764 and auction clerk license number 570 issued to Joe Lissolo, Angora, Nebraska.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-08-580
Safflower Technologies
International LLC
Roving Grain Buyer - Sidney, MT
Discontinue Business

Mr. Cramer: I move the Commission issue an order in Case No. GE-08-580 granting the request of Safflower Technologies International, LLC of Sidney, Montana, to discontinue business as a North Dakota roving grain buyer, effective August 1, 2008.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-08-512
Laughlin-Cartrell, Inc.
Roving Grain Buyer - Carlton, OR
License Application

Mr. Cramer: I move the Commission approve the roving grain license application for Laughlin-Cartrell, Inc. of Carlton, Oregon.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-08-587
Michael J. Field
Auctioneer
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Michael J. Field, Maple Plain, Minnesota, effective July 24, 2008.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-08-588
Michael J. Field
Auction Clerk
License Application

Mr. Cramer: I move the Commission approve the auction clerk license application for Michael J. Field, Maple Plain, Minnesota, effective July 24, 2008.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-08-602
Braaten Trucking & Grain Company Inc
Roving Grain Buyer - Portland, ND
Discontinue Business

Mr. Cramer: I move the Commission issue an order in Case No. GE-08-602 granting the request of Braaten Trucking & Grain Company Inc. of Portland, North Dakota, to discontinue business as a North Dakota roving grain buyer, effective August 1, 2008.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-08-608
Kelly Konken
Auctioneer
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Kelly Konken, Hartington, Nebraska.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-08-607
ADM Malting LLC
Roving Grain Buyer - Milwaukee, WI
License Application

Mr. Cramer: I move the Commission approve the roving grain license application for ADM Malting LLC of Milwaukee, Wisconsin, effective August 1, 2008.

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 award contracts to Hanson's Excavating, Inc. for two AML projects, 2008 Maintenance Sinkholes 1 and 2, 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-08-551
Otter Tail Corp/Cass County
Electric Coop.
Service Area Agreement
Application

Mrs. Wefald: I move the Commission issue a Notice of Filing, Notice of Informal Hearing and Notice of Opportunity for Hearing in the joint application of Cass County Electric Cooperative, Inc. and Otter Tail Corporation for approval of a service area agreement to establish locations for new electric service to be served by Otter Tail and Cass Electric within and in areas adjacent to the City of Casselton, North Dakota, Case No. PU-08-551.

Mr. Cramer: 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 an intent to award a contract to Hanson's Excavating, Inc. for the 2008 Maintenance Sinkholes 3 AML Project that involves sinkhole filling at several abandoned underground mines in Williams County.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

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

Mr. Cramer: I move the Commission approve the Notice of Intent to Award Contract for consulting services for siting applications, Case No. PU-08-115.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-08-604
International Malting Company –
US Div. of Interna
License No. 1105 - Wahpeton, ND
Discontinue Business

Mr. Clark: I move the Commission issue an order in Case No. GE-08-604 granting the request of International Malting Company - US Division of International Malting Company, LLC, Milwaukee, Wisconsin, to discontinue business at Wahpeton, North Dakota effective July 28, 2008.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-08-470
Busch Agricultural Resources, Inc.
License No. 610 - Sutton, ND
Discontinue Business

Mr. Clark: I move the Commission issue an order in Case No. GE-08-470 granting the request of Busch Agricultural Resources, Inc., West Fargo, North Dakota, to discontinue business at Sutton, North Dakota, effective August 1, 2008.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-08-471
Busch Agricultural Resources, Inc.
License No. 2008 - West Fargo, ND
Discontinue Business

Mr. Clark: I move the Commission issue an order in Case No. GE-08-471 granting the request of Busch Agricultural Resources, Inc. to discontinue business as a facility-based grain buyer at West Fargo, North Dakota, effective August 1, 2008.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-08-472
Busch Agricultural Resources, LLC
Grain Warehouse - Sutton, ND
License Application

Mr. Clark: I move the Commission issue an order in Case No. GE-08-472 granting the request of Busch Agricultural Resources, LLC of West Fargo, North Dakota, to operate a 740,000-bushel grain warehouse at Sutton, North Dakota, effective August 1, 2008.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-08-473
Busch Agricultural Resources, LLC
Facility-Based Grain Buyer - West
Fargo, ND
License Application

Mr. Clark: I move the Commission issue an order in Case No. GE-08-473 granting the request of Busch Agricultural Resources, LLC to operate as a facility-based grain buyer at West Fargo, North Dakota, effective August 1, 2008.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-08-516
Huether Grain Company
License No. 97 - Elliott, ND
Discontinue Business

Mr. Clark: I move the Commission issue an order in Case No. GE-08-516 granting the request of Huether Grain Company, Lisbon, North Dakota, to discontinue business at Elliott, North Dakota, effective August 1, 2008.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-08-213
Polar Communications Mutual
Aid Corporation
Designated Eligible Carrier
Application

Mr. Clark: I move the Commission issue a Notice of Opportunity for Hearing in the application of Polar Communications Mutual Aid Corporation for designation as an Eligible Telecommunications Carrier for federal universal service support in the Gilby, Lakota, Fordville, Edmore, Adams, Pembina and St Vincent exchanges in North Dakota, Case No. PU-08-213.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-08-229
Midcontinent Communications/
United Telephone
Interim Interconnection Agreement
Application

Mr. Clark: I move the Commission adopt the order approving an interim interconnection agreement negotiated between Midcontinent Communications and United Telephone, Case No. PU-08-229.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-08-578
Midcontinent Communications/
ND Telephone Co.
Interconnection Agreement
Amendment
Application

Mr. Clark: I move the Commission issue a Notice of Opportunity to File Written Comments in the application for approval of an interconnection agreement amendment negotiated between Midcontinent Communications and North Dakota Telephone Company, Case No. PU-08-578.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-08-583
ConAgra Foods, Inc.
Facility-Based Grain Buyer
Discontinue Business

Mr. Clark: I move the Commission issue an order in Case No. GE-08-583 granting the request of ConAgra Foods, Inc. of Omaha, Nebraska, to discontinue business as a facility-based grain buyer at Carrington, Grand Forks, Jamestown, and Valley City, North Dakota, effective immediately.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-08-560
Buffalo Grain Co., L.L.C.
Grain Warehouse - Tower City, ND
License Application

Mr. Clark: I move the Commission issue an order in Case No. GE-08-560 granting the request of Buffalo Grain Co., L.L.C. to operate a 15,000-bushel grain warehouse at Tower City, North Dakota, effective August 1, 2008.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-08-582
Buffalo Grain Co., L.L.C.
License No. 1128 - Buffalo, ND
Discontinue Business

Mr. Clark: I move the Commission issue an order in Case No. GE-08-582 granting the request of Buffalo Grain Co., L.L.C. to discontinue business at Buffalo, North Dakota, effective August 1, 2008.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-08-559
Gavilon Grain, LLC
Facility-Based Grain Buyer
License Application

Mr. Clark: I move the Commission issue an order in Case No. GE-08-559 granting the request of Gavilon Grain, LLC of Omaha, Nebraska, to operate as a facility-based grain buyer at Carrington, Grand Forks, Jamestown, and Valley City, North Dakota, effective immediately.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-08-435
Whitebox Commodities Holdings
Corporation
Facility-Based Grain Buyer -
Wahpeton, ND
License Application

Mr. Clark: I move the Commission issue an order in Case No. GE-08-435 granting the request of Whitebox Commodities Holdings Corporation, Minneapolis, Minnesota, to operate as a facility-based grain buyer at Wahpeton, North Dakota, effective July 28, 2008.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-08-603
AGP Grain, Ltd.
Grain Warehouse
Discontinue Business

Mr. Cramer: I move the Commission issue an order in Case No. GE-08-603 granting the request of AGP Grain, Ltd., Omaha, Nebraska, to discontinue business at Arvilla, Merrifield, Crystal, Valley City, and Larimore, North Dakota, effective August 1, 2008.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-08-591
Columbia Grain International, Inc.
Facility-Based Grain Buyer
License Application

Mr. Cramer: I move the Commission issue an order in Case No. GE-08-591 granting the request of Columbia Grain International, Inc. of Portland, Oregon to operate as a facility-based grain buyer at Arvilla, Larimore, Merrifield, Crystal, and Valley City North Dakota, effective August 1, 2008.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 12:00 P.M.

Executive Director

SUSAN E. WEFALD, PRESIDENT