

February 27, 2013

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on February 27, 2013, 10:00 a.m. Present were Commissioners Kalk, Christmann, and Fedorchak.

Minutes

Mr. Kalk: I move the minutes of February 1, 13, 20, 2013 be approved.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-13-97
Patrick Simon
Auctioneer
License Application

Mr. Kalk: I move the Commission approve the auctioneer license application for Patrick Simon, Twin Valley, Minnesota.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-12-396
General Grain Cleaning Co.
Roving Grain Buyer - Hannaford, ND
License Application

Mr. Kalk: I move the Commission approve the roving grain buyer license application in Case No. GE-12-396 for General Grain Cleaning Co. of Hannaford, North Dakota.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-13-91
Shawn Schoch
Auctioneer
License Application

Mr. Kalk: I move the Commission approve the auctioneer license application for Shawn Schoch, Denton, Texas.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-798
Montana-Dakota Utilities Co.,
a Division of MDU
Wesley Johnson
Public Convenience & Necessity

Mr. Kalk: I move the Commission issue a Notice of Opportunity for Hearing in the application of Montana-Dakota Utilities Co. to extend electric service to Wesley Johnson at a location in Williams County, North Dakota, Case No. PU-12-798.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-821
Montana-Dakota Utilities Co.,
a Division of MDU
Scott Kalmbach - Burke County
Public Convenience & Necessity

Mr. Kalk: I move the Commission issue a Notice of Opportunity for Hearing in the application of Montana-Dakota Utilities Co. to extend electric service to Scott Kalmbach at a location in Burke County, North Dakota, Case No. PU-12-821.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-822
Montana-Dakota Utilities Co.,
a Division of MDU
Jack Roe - Williams County
Public Convenience & Necessity

Mr. Kalk: I move the Commission issue a Notice of Opportunity for Hearing in the application of Montana-Dakota Utilities Co. to extend electric service to Jack Roe at a location in Williams County, North Dakota, Case No. PU-12-822.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-88
Rolette Power Development, LLC
Rolette Wind Energy Project –
Rolette County, ND
Siting Application

Mr. Kalk: 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 30 days, and assess a filing fee of \$45,000 due upon filing an application in Case No. PU-13-88, Rolette Power Development, LLC's 50 MW Rolette Wind Energy Project in Rolette County, North Dakota.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-12-806
2013-2016 ND Reclamation
Simplified Grant
Application

Mr. Christmann: I move the Commission approve the Beulah/Zap Phase 14, Scranton/Bowman, Havelock C and Richter construction projects as the major projects for abandoned mine reclamation in 2013 and submit the 2013 - 2016 North Dakota Abandoned Mine Lands Reclamation Simplified Grant Application to the Office of Surface Mining to request \$3,521,731 in federal funds.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-83
Montana-Dakota Utilities Co.,
a Division of MDU
Environmental Cost Recovery
Rates

Ms. Fedorchak: I move the Commission suspend the tariff revisions filed in Montana-Dakota Utilities Co.'s Application for an Environmental Cost Recovery Rider and its Environmental Cost Recovery Tariff, Case Nos. PU 13 83 and PU-13-85.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-85
Montana-Dakota Utilities Co.,
a Division of MDU
Environmental Cost Recovery
Tariff

Case No. PU-13-79
Otter Tail Power Company
Environmental Cost Recovery
Tariff

Ms. Fedorchak: I move the Commission suspend Otter Tail Power Company's Environmental Cost Recovery Tariff and its Environmental Cost Recovery Rider Application, Case Nos. PU-13-79 and PU-13-84.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-84
Otter Tail Power Company
Environmental Cost Recovery
Rates

Resignation
Temporary Document Imaging
Specialist

Mr. Kalk: I move the Commission accept, with regret, the resignation of Kayleen H. Paetz effective February 16, 2013.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-680
Montana-Dakota Utilities Co.,
a Division of MDU
Natural Gas Pipeline - Morton County
Siting Application

Mr. Kalk: I move the Commission retain Mitchell D. Armstrong to provide legal services to assist the Commission in processing Case No. PU-11-680, Montana-Dakota Utilities Co., Natural Gas Pipeline, Morton County, Siting Application.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-697
Midcontinent Communications /
Missouri Valley Communications, Inc.
Interconnection Arbitration
Application

Mr. Kalk: I move the Commission retain Mitchell D. Armstrong to provide legal services to represent the Commission and Kevin Cramer, Bonny Fetch and Brian Kalk in their official capacities as Commissioners of the North Dakota Public Service Commission in Missouri Valley Communications, Inc. v. North Dakota Public Service Commission et al., United States District Court Case No. 4:12-cv-091, Midcontinent Communications/ Missouri Valley Communications, Inc., Interconnection Arbitration, Application, ND PSC Case No. PU-11-697.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 11:26 A.M.

Executive Secretary

BRIAN P. KALK, CHAIRMAN