

January 7, 2015

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on January 7, 2015, 10:00 a.m. Present were Commissioners Fedorchak, Christmann, and Kalk.

Minutes

Ms. Fedorchak: I move the minutes of December 17, 22, 2014 be approved.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. GS-14-761
Gas Pipeline Safety
Rulemaking

Ms. Fedorchak: I move the Commission adopt the Order Submitting Rules to Attorney General for an opinion as to legality in Public Service Commission, Gas Pipeline Safety, Rulemaking, Case No. GS-14-761, Public Service Commission, Practice and Procedure, Rulemaking, Case No. AD-14-762, and Public Service Commission, Licensing, Rulemaking, Case No. GE-14-763.

Case No. AD-14-762
Practice and Procedure
Rulemaking

Sections 69-09-03-01 and 69-09-03-02, Pipeline Safety

Case No. GE-14-763
Licensing
Rulemaking

Article 69-02, Practice and Procedure

Sections 69-07-02-02 and 69-07-02-02.1, Grain Warehouse and Grain Buyer Bonds

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. WM-14-841
Dakota Prairie Refining, LLC
Variance Permit
Application

Ms. Fedorchak: I move the Commission issue a permanent variance permit in Dakota Prairie Refining, LLC, Variance Permit, Application, Case No. WM-14-841.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-14-850
Tony Langdon
Auction Clerk License
Revocation

Ms. Fedorchak: I move the Commission issue an order in Case No. AU-14-850 revoking auction clerk license number 646 issued to Tony Langdon of Aubrey, Texas effective December 16, 2014 for failing to maintain an adequate bond filing.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-14-851
Steve Krutzfeldt
Auctioneer License
Cancellation

Ms. Fedorchak: I move the Commission issue an order in Case No. AU-14-851 cancelling auctioneer license number 983 issued to Steve Krutzfeldt, Billings, Montana.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-844
Montana-Dakota Utilities Co.,
a Division of MDU
Thunder Spirit Wind Project –
Adams County
Public Convenience & Necessity

Ms. Fedorchak: I move the Commission assess a filing fee of \$10,000 in Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., Thunder Spirit Wind Project – Adams County, Public Convenience and Necessity, Case No. PU-14-734.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-765
Otter Tail Power Company
Canadian Pacific Railway Company
Public Convenience & Necessity

Ms. Fedorchak: I move the Commission adopt the Order and issue a Certificate of Public Convenience and Necessity in Otter Tail Power Company, Canadian Pacific Railway Company, Public Convenience & Necessity, Case No. PU-14-765.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-806
Montana-Dakota Utilities Co.,
a Division of MDU
USG Midstream Bakken I, LLC -
Williams County
Public Convenience & Necessity

Ms. Fedorchak: I move the Commission issue a Notice of Opportunity for Hearing in Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., USG Midstream Bakken I, LLC, Public Convenience & Necessity, Case No. PU-14-806.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-809
Montana-Dakota Utilities Co.,
a Division of MDU
Liberty Resource LLC - Burke County
Public Convenience & Necessity

Ms. Fedorchak: I move the Commission issue a Notice of Opportunity for Hearing in Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., Liberty Resource LLC, Public Convenience & Necessity, Case No. PU-14-809.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-824
Otter Tail Power Company
Jim Kirkeide - Wells County
Public Convenience & Necessity

Ms. Fedorchak: I move the Commission adopt the Order and issue a Certificate of Public Convenience and Necessity in Otter Tail Power Company, Jim Kirkeide – Wells County, Public Convenience & Necessity, Case No. PU-14-824.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-825
Otter Tail Power Company
David Clough - Wells County
Public Convenience & Necessity

Ms. Fedorchak: I move the Commission adopt the Order and issue a Certificate of Public Convenience and Necessity in Otter Tail Power Company, David Clough – Wells County, Public Convenience & Necessity, Case No. PU-14-825.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-830
Montana-Dakota Utilities Co.,
a Division of MDU
BNSF Railway Company –
Burleigh County
Public Convenience & Necessity

Ms. Fedorchak: I move the Commission issue a Notice of Opportunity for Hearing in Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., BNSF Railway Company – Burleigh County, Public Convenience & Necessity, Case No. PU-14-830.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-831
Montana-Dakota Utilities Co.,
a Division of MDU
James Polkinghome, Williams County
Public Convenience & Necessity

Ms. Fedorchak: I move the Commission issue a Notice of Opportunity for Hearing in Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., James Polkinghome, Williams County, Public Convenience & Necessity, Case No. PU-14-831.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-849
Otter Tail Power Company
Les Hansen - Barnes County
Public Convenience & Necessity

Ms. Fedorchak: I move the Commission issue a Notice of Opportunity for Hearing in Otter Tail Power Company, Les Hansen – Barnes County, Public Convenience & Necessity, Case No. PU-14-849.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-136
Hiland Crude, LLC
Crude Oil Pipeline, McKenzie,
Williams, Mountrail Counties
Siting Application

Ms. Fedorchak: I move the Commission deem complete the applications of Hiland Crude, LLC for a waiver of procedures and time schedules, and to amend First Amended Certificate of Corridor Compatibility No. 157 and First Amended Route Permit No. 169. I further move the Commission issue a Notice of Filings and Notice of Opportunity for Hearing in Hiland Crude, LLC, Crude Oil Pipeline, McKenzie, Williams, Mountrail, Siting Application, Case No. PU-13-136.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-730
Tesoro High Plains Pipeline
Company LLC
Bakken Area Storage Hub –
Williams County
Siting Application

Ms. Fedorchak: I move the Commission adopt the Findings of Fact, Conclusions of Law and Order in Tesoro High Plains Pipeline Company LLC, Bakken Area Storage Hub – Williams Cnty, Siting Application, Case No. PU-14-730.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-14-42
Scranton/Bowman Phase 2
Construction
Project

Mr. Christmann: I move the Commission close out Contract No. AM-698-14 with Northeast Technical Services, Inc. for completion of work on the 2014 Scranton/Bowman Phase 2 AML Project.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-14-43
Beulah/Zap Phase 15 Construction
Project

Mr. Christmann: I move the Commission close out Contract No. AM-696-14 with GEOSERV, Inc. for completion of work on the 2014 Beulah/Zap Phase 15 AML Project.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-105
Sunflower Wind Project, LLC
Wind Energy Conversion Facility -
Stark & Morton Counties
Siting Application

Mr. Kalk: I move the Commission adopt the Supplemental Order in Sunflower Wind Project, LLC, Wind Energy Conversion Facility – Stark & Morton, Siting Application, Case No. PU-14-105.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-678
Antelope Hills Wind Project, LLC
345 kV Transmission Line –
Mercer County
Siting Application

Mr. Kalk: I move the Commission adopt the Findings of Fact, Conclusions of Law and Order issuing Certificate of Corridor Compatibility Number 161 and Route Permit Number 173 in Antelope Hills Wind Project, LLC, 345 kV Transmission Line – Mercer County, Siting Application, Case No. PU-14-678.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-714
Knife River Corporation
Damage Prevention Enforcement

Mr. Kalk: I move the Commission adopt the Consent Order in the Public Service Commission's damage prevention enforcement action concerning Knife River Corporation, Case No. PU-14-714.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-829
Basin Electric Power Cooperative
Pioneer Generating Station Phase III
Project
Siting Application

Mr. Kalk: I move the Commission deem the application complete and issue a Notice of Filing and Notice of Hearing in Basin Electric Power Cooperative, Pioneer Generating Station Phase III Project, Siting Application, Case No. PU-14-829.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-109
Montana-Dakota Utilities Co.,
a Division of MDU
Generation Resource Cost Recovery
Rates

Mr. Kalk: I move the Commission adopt the Order in Montana-Dakota Utilities Co.'s Electric Generation Rider Rates, Case No. PU-14-109.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-845
Tower Systems, Inc.
Damage Prevention Enforcement

Mr. Kalk: I move the Commission appoint Victor Schock as advocacy staff effective December 23, 2014, in Public Service Commission, Tower Systems, Inc., Damage Prevention Enforcement, Case No. PU-14-845.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

2016 MARC Conference

Mr. Kalk: I move the Commission acknowledge that the activities of planning, organizing and implementing the Mid-American Regulatory Commissioners annual conference, to be hosted by the North Dakota Public Service Commission in Bismarck, North Dakota in June 2016, are official activities of the Commission.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 11:27 A.M.

Executive Secretary

JULIE FEDORCHAK, CHAIRMAN