

March 25, 2015

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on March 25, 2015, 10:00 a.m. Present were Commissioners Fedorchak, Christmann, and Kalk.

Minutes

Ms. Fedorchak: I move the minutes of March 11, 2015 be approved.

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 execute a contract with Wenck Associates, Inc., for construction inspection services in Hiland Crude, LLC, Crude Oil Pipeline, McKenzie, Williams, Mountrail, Siting Application, Case No. PU-13-136.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-223
Meadowlark Midstream Company, LLC
8-Inch Crude Oil Pipeline-
Williams & Divide Counties
Siting Application

Ms. Fedorchak: I move the Commission execute a contract with Keitu Engineers & Consultants, Inc., for construction inspection services in Meadowlark Midstream Company, LLC, 8-Inch Crude Oil Pipeline – Williams & Divide Cntys, Siting Application, Case No. PU-14-223.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-15-118
Central City Auto Auction Clerking
Auction Clerk
License Application

Ms. Fedorchak: I move the Commission approve the auction clerk license application for Central City Auto Auction Clerking of Carrington, North Dakota.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-91
Reservation Telephone Cooperative /
Qwest
Squaw Gap/Sidney
Exchange Boundary Agreement

Ms. Fedorchak: I move the Commission approve a change in the exchange boundary between Reservation Telephone Cooperative's Squaw Gap exchange and Qwest Corporation's Sidney exchange and issue amended certificates of Public Convenience and Necessity in Reservation Telephone Cooperative / Qwest Corporation, Squaw Gap/Sidney, Exchange Boundary Agreement, Case No. PU-15-91.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-764
ONEOK Rockies Midstream, L.L.C.
Demicks Lake Gas Processing Plant -
McKenzie County
Siting Application

Ms. Fedorchak: I move the Commission adopt the Findings of Fact, Conclusions of Law and Order in ONEOK Rockies Midstream, L.L.C., Demicks Lake Gas Processing Plant – McKenzie Cnty, Siting Application, Case No. PU-14-764.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-842
Dakota Access, LLC
Dakota Access Pipeline Project
Siting Application

Ms. Fedorchak: I move the Commission deem complete the applications for certificate of corridor compatibility and for a route permit conditioned on receiving, from the applicant ten days prior to the first hearing in this case, the wetlands and waterbody field survey report, the wildlife inventory field survey report, the habitat assessment field survey report, and the tree and shrub inventory report in Dakota Access, LLC, Dakota Access Pipeline Project, Siting Application, Case No. PU-14-842. I further move the Commission issue a Notice of Filings and Notice of Hearings in Dakota Access, LLC, Dakota Access Pipeline Project, Siting Application, Case No. PU-14-842.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-877
Northern Excavating Co., Inc.
(7-25-2013)
Damage Prevention Enforcement

Case No. PU-13-878
Northern Excavating Co., Inc.
(8-2-2013)
Damage Prevention Enforcement

Case No. PU-13-879
Public Service Commission
Northern Excavating Co., Inc.
(25 pair copper)
Damage Prevention Enforcement

Case No. PU-13-880
Northern Excavating Co., Inc.
(144 Fiber Optic)
Damage Prevention Enforcement

Mr. Kalk: I move the Commission adopt the Findings of Fact, Conclusions of Law and Order in Public Service Commission, Northern Excavating Co., Inc. (7-25-2013), Damage Prevention Enforcement, Case No. PU-13-877, Public Service Commission, Northern Excavating Co., Inc. (8-2-2013), Damage Prevention Enforcement, Case No. PU-13-878, Public Service Commission, Northern Excavating Co., Inc. (25 pair copper), Damage Prevention Enforcement, Case No. PU-13-879, Public Service Commission, Northern Excavating Co., Inc. (144 Fiber Optic), Damage Prevention Enforcement, Case No. PU-13-880, Public Service Commission, Northern Excavating Co., Inc. (9-17-2013), Damage Prevention Enforcement, Case No. PU-13-881, Public Service Commission, Northern Excavating Co., Inc. (9-30-2013), Damage Prevention Enforcement, Case No. PU-13-882, and Public Service Commission, Northern Excavating Co., Inc. (75 pair 2nd time), Damage Prevention Enforcement, Case No. PU-13-883.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-881
Northern Excavating Co., Inc.
(9-17-2013)
Damage Prevention Enforcement

Motion Continued

Case No. PU-13-882
Northern Excavating Co., Inc.
(9-30-2013)
Damage Prevention Enforcement

Case No. PU-13-883
Northern Excavating Co., Inc.
(75 pair 2nd time)
Damage Prevention Enforcement

Case No. PU-14-134
Northern Excavating Co., Inc.
(4-fiber 2nd time)
Damage Prevention Enforcement

Mr. Kalk: I move the Commission adopt the Findings of Fact, Conclusions of Law and Order in Public Service Commission, Northern Excavating Co., Inc. (4-fiber 2nd time), Damage Prevention Enforcement, Case No. PU-14-134.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-843
Montana-Dakota Utilities Co.,
a Division of MDU
Advance Prudence - Thunder Spirit
Wind Project
Application

Mr. Kalk: Believing that there will be no prejudice to the rights of the parties or the public interest, and finding the cases involve similar questions of law and fact, I move the Commission consolidate the cases and issue a Notice of Consolidated Hearing in Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc. Advanced Determination of Prudence – Thunder Spirit Wind Project, Application, Case No. PU-14-843, and Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc. Thunder Spirit Wind Project – Adams County, Public Convenience and Necessity, Case No. PU-14-844.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-14
Otter Tail Power Company
2015 Renewable Resource Cost
Recovery Adj. Factor
Rates

Mr. Kalk: I move the Commission approve Otter Tail Power Company's Renewable Resource Cost Recovery Rider, Case No. PU-15-14.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-42
J&J Oilfield Services, Inc.
Damage Prevention Enforcement

Mr. Kalk: I move the Commission close Public Service Commission, J&J Oilfield Services, Inc., Damage Prevention Enforcement, Case No. PU-15-42

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

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Case No. PU-15-119
Daktel Communications LLC
Designated Eligible Carrier
Application

Mr. Kalk: I move the Commission issue a Notice of Opportunity for Hearing in Daktel Communications LLC, Designated Eligible Carrier, Application, Case No. PU-15-119.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-702
Envision Land & Development, LLC
Damage Prevention Enforcement

Mr. Kalk: I move the Commission adopt the Consent Order in Public Service Commission, Envision Land & Development, LLC, Damage Prevention Enforcement, Case No. PU-14-702.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. GS-14-727
Landwehr Construction, Inc.
Damage Prevention Enforcement

WITHDRAWN

Case No. PU-15-96
Northern States Power Company
Advance Prudence - 345 MW Mankato
Energy Center
Application

Mr. Kalk: I move the Commission appoint Victor Schock, John Schuh and Mike Diller as advocacy staff in Northern States Power Company's, Advance Determination of Prudence for its 345 MW Power Purchase Agreement with Mankato Energy Center, LLC, Application, Case No. PU-15-96.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-15-93
Public Service Commission, vs.
Lacy Guyton
Complaint


Mr. Christmann: I move the Commission appoint Casey Furey and Susan Richter as advocacy staff in Case No. GE-15-93, Public Service Commission vs Lacy Guyton, Complaint.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 11:55 A.M.


Executive Secretary


JULIE FEDORCHAK, CHAIRMAN