

April 29, 2015

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on April 29, 2015, 10:00 a.m. Present were Commissioners Fedorchak, Christmann, and Kalk.

Minutes

Ms. Fedorchak: I move the minutes of April 8, 14, 21, 2015 be approved.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-799
Dakota Prairie Refining, LLC /
Lario Shipping, LLC
Two Petroleum Product Pipelines -
Stark County
Siting Application

Ms. Fedorchak: I move the Commission issue a siting fee interim refund in the amount of \$12,149.39 in Dakota Prairie Refining, LLC / Lario Shipping, LLC, Two Petroleum Product Pipelines – Stark County, Siting Application, Case No. PU-13-799.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-825
Bakken Oil Express, LLC
16-Inch Crude Oil Pipeline/
Dunn & Stark Counties
Siting Application

Ms. Fedorchak: I move the Commission issue a siting fee interim refund in the amount of \$39,599.65 in Bakken Oil Express, LLC, 16-Inch Crude Oil Pipeline/Dunn & Stark Counties, Siting Application, Case No. PU-13-825.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-835
Whiting Oil and Gas Corporation
Robinson Lake Gas Plant Expansion -
Mountrail County.
Siting Application

Ms. Fedorchak: I move the Commission issue a siting fee interim refund in the amount of \$63,160.29 in Whiting Oil and Gas Corporation, Robinson Lake Gas Plant Expansion – Mountrail Cty., Siting Application, Case No. PU-13-835.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-135
Belle Fourche Pipeline Company
10-Inch Crude Oil Pipeline –
Billings, Dunn, Stark
Siting Application

Ms. Fedorchak: I move the Commission issue a siting fee interim refund in the amount of \$15,765.64 in Belle Fourche Pipeline Company, 10-Inch Crude Oil Pipeline – Billings, Dunn, Stark, Siting Application, Case No. PU-14-135.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-218
ONEOK Rockies Midstream, L.L.C.
Lonesome Creek Gas Plant -
McKenzie County, ND
Siting Application

Ms. Fedorchak: I move the Commission issue a siting fee interim refund in the amount of \$67,577.66 in ONEOK Rockies Midstream, L.L.C., Lonesome Creek Gas Plant – McKenzie County, ND, Siting Application, Case No. PU-14-218.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-254
ONEOK Bakken Pipeline, L.L.C.
Targa Lateral Pipeline Project –
McKenzie County
Siting Application

Ms. Fedorchak: I move the Commission issue a siting fee interim refund in the amount of \$13,264.33 in ONEOK Bakken Pipeline, L.L.C., Targa Lateral Pipeline Pjct – McKenzie County, Siting Application, Case No. PU-14-254.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-689
Caliber Midstream Partners, L.P.
6" NGL Pipeline Project –
McKenzie County
Siting Application

Ms. Fedorchak: I move the Commission grant the motion for reconsideration filed on April 13, 2015 as Motion for an Amendment of the Findings of Fact, Conclusions of Law and Order Issuing Certificate of Corridor Compatibility and Route Permit. I further move the Commission adopt the Amended Findings of Fact, Conclusions of Law and Order in Caliber Midstream Partners, L.P., 6" NGL Pipeline Project – McKenzie County, Siting Application, Case No. PU-14-689.

Mr. Christmann: 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 issue a siting fee interim refund in the amount of \$77,375.00 in Tesoro High Plains Pipeline Company LLC, Bakken Area Storage Hub – Williams Cnty, Siting Application, Case No. PU-14-730.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-109
Vantage Pipeline US LP
Natural Gas Liquids Pipeline –
Williams and Divide
Siting Application

Ms. Fedorchak: I move the Commission issue a siting fee interim refund in the amount of \$60,433.50 in Vantage Pipeline US LP, Natural Gas Liquids Pipeline – Williams and Divide, Siting Application, Case No. PU-11-109.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-232
Enbridge Pipelines (North Dakota) LLC
Berthold Station Expansion Project
Siting Application

Ms. Fedorchak: I move the Commission issue a siting fee interim refund in the amount of \$72,359.39 in Enbridge Pipelines (North Dakota) LLC, Berthold Station Expansion Project, Siting Application, Case No. PU-11-232.

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

Ms. Fedorchak: I move the Commission issue a siting fee interim refund in the amount of \$56,350.32 in Montana-Dakota Utilities Co., A Division of MDU Resources Group, Inc., Natural Gas Pipeline – Morton County, Siting Application, Case No. PU-11-680.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-683
Hess Corporation
14" Crude Oil Pipeline –
Williams County
Siting Application

Ms. Fedorchak: I move the Commission issue a siting fee interim refund in the amount of \$29,153.09 in Hess Corporation, 14" Crude Oil Pipeline – Williams Cty, Siting Application, Case No. PU-12-683.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-22
Dakota Gasification Company
10" Natural Gas Pipeline –
Mercer County
Siting Application

Ms. Fedorchak: I move the Commission issue a siting fee interim refund in the amount of \$25,826.66 in Dakota Gasification Company, 10" Natural Gas Pipeline – Mercer County, Siting Application, Case No. PU-13-022.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-15-163
Rodney D. Larson
Auction Clerk License
Cancellation

Ms. Fedorchak: I move the Commission adopt an order in Case No. AU-15-163 cancelling auction clerk license number 408 issued to Rodney D. Larson, Spiritwood, North Dakota.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-07-759
Northern States Power Company
Fargo - St. Cloud MN 345 KV CapX
Transmission Line
Siting Application

Ms. Fedorchak: I move the Commission approve Northern State Power Company's Tree and Shrub Mitigation Plan, Northern States Power Company, Fargo-St. Cloud MN 345 kV Cap-X Transmission Line, Siting Application, Case No. PU-07-759.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-692
Basin Electric Power Cooperative
345/230 kV Transmission Line -
Williams County
Siting Application

Ms. Fedorchak: I move the Commission execute a two-year extension amendment to its contract with Keitu Engineers & Consultants, Inc. for construction inspection services, Basin Electric Power Cooperative, 345/230 kV, transmission line - Williams County, Case No. PU-11-692.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-696
Basin Electric Power Cooperative
345 kV Trans. Line - Mercer, Dunn
, McKenzie, Williams
Siting Application

Ms. Fedorchak: I move the Commission issue a siting fee interim refund in the amount of \$39,909.96 in Basin Electric Power Cooperative, 345 kV Trans. Line – Mercer, Dunn, McKenzie, Williams, Siting Application, Case No. PU-11-696.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-790
Basin Electric Power Cooperative
Lonesome Creek Station –
McKenzie County
Siting Application

Ms. Fedorchak: I move the Commission issue a siting fee interim refund in the amount of \$29,342.56 in Basin Electric Power Cooperative, Lonesome Creek Station – McKenzie County, Siting Application, Case No. PU-12-790.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

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

WITHDRAWN

Case No. PU-14-668
Otter Tail Power Company
Fuel Clause Adjustment - CSAPR
Tariff

Ms. Fedorchak: I move the Commission issue a filing fee refund in the amount of \$9,669.90 in Otter Tail Power Company, Fuel Clause Adjustment – CSAPR, Tariff, Case No. PU-14-668.

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

WITHDRAWN

Case No. PU-14-679
Antelope Hills Wind Project, LLC
Wind Energy Conversion Facility -
Mercer County
Siting Application

WITHDRAWN

Case No. PU-15-18
Consolidated Communications
Networks, Inc.
Designated Eligible Carrier
Application

Ms. Fedorchak: I move the Commission render a bill for payment for \$453.74, Bismarck Consolidated Communications Networks, Inc., Designated Eligible Carrier, Application, Case No. PU-15-18.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-90
Montana-Dakota Utilities Co.,
a Division of MDU
Natural Gas Service Rate Increase
Application

Ms. Fedorchak: I move the Commission approve the compliance filing by Montana-Dakota Utilities Co. of an Interim Natural Gas Rate Increase tariff to increase annual revenue collections by \$4.3 million effective for service rendered on or after April 7, 2015, Montana-Dakota Utilities Co.'s Natural Gas Service Rate Increase, Case No. PU-15-90.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-644
Northern States Power Company
2014-2015 Transmission Facility Cost
Recovery
Rates

Ms. Fedorchak: I move the Commission issue a filing fee refund in the amount of \$9,688.86 in Northern States Power Company, 2014-2015 Transmission Facility Cost Recovery, Rates, Case No. PU-14-644.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-601
Thunder Spirit Wind, LLC
150 MW Wind Energy Project –
Adams County
Siting Application

Ms. Fedorchak: I move the Commission issue a siting fee interim refund in the amount of \$53,788.68 in Thunder Spirit Wind, LLC, 150 MW Wind Energy Project – Adams County, Siting Application, Case No. PU-11-601.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-620
Allete, Inc.
230 kV Transmission Line- Mercer,
Morton, Oliver Counties
Siting Application

Ms. Fedorchak: I move the Commission issue a siting fee interim refund in the amount of \$32,218.18 in Allete, Inc., 230 kV Transmission Line – Mercer, Morton, Oliver Cty, Siting Application, Case No. PU-11-620.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-07-759
Northern States Power Company
Fargo - St. Cloud MN 345 KV CapX
Transmission Line
Siting Application

Ms. Fedorchak: I move the Commission issue a siting fee interim refund in the amount of \$43,342.32 in Northern States Power Company, Fargo – St. Cloud MN 345 KV CapX Transmission Line, Siting Application, Case No. PU-07-759.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-509
Basin Electric Power Cooperative
Pioneer Generation Station –
Williams County
Siting Application

Ms. Fedorchak: I move the Commission issue a siting fee interim refund in the amount of \$25,940.81 in Basin Electric Power Cooperative, Pioneer Generation Station – Williams County, Siting Application, Case No. PU-12-509.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-64
Courtenay Wind Farm, LLC
200.5 MW Wind Energy Conversion
Facility-Stutsman
Siting Application

Ms. Fedorchak: I move the Commission issue a siting fee interim refund in the amount of \$47,608.41 in Courtenay Wind Farm, LLC, 200.5 MW Wind Energy Conversion Facility - Stutsman, Siting Application, Case No. PU-13-064.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-127
Allete, Inc.
210MW Bison 4 Wind Project –
Oliver County
Siting Application

Ms. Fedorchak: I move the Commission issue a siting fee interim refund in the amount of \$64,914.15 in Allete, Inc., 210 MW Bison 4 Wind Project – Oliver Cty, Siting Application, Case No. PU-13-127.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-813
Basin Electric Power Cooperative
North Killdeer Loop Phase I 345 kV
Transmission
Siting Application

Ms. Fedorchak: I move the Commission execute a contract with E3 Environmental, LLC. for construction inspection services in Basin Electric Power Cooperative, North Killdeer Loop Phase I 345 kV Transmission, Case No. PU-14-813.

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

Ms. Fedorchak: I move the Commission execute a contract with ProSource Technologies, Inc. for construction inspection services 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-14-852
Basin Electric Power Cooperative
Lonesome Creek Station Phase III
Project
Siting Application

Ms. Fedorchak: I move the Commission execute a contract with E3 Environmental, LLC. for construction inspection services in Basin Electric Power Cooperative, Lonesome Creek Station Phase III Project, Siting Application, Case No. PU-14-852.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-35
Plains Pipeline, L.P.
8-inch Crude Oil Pipeline –
Bison Pipeline Project
Siting Application

Ms. Fedorchak: I move the Commission deem complete the applications for certificate of corridor compatibility and a route permit, and further move the Commission issue a Notice of Filings and Public Hearing in Plains Pipeline, L.P., 8-inch Crude Oil Pipeline – Bison Pipeline Project, Siting Application, Case No. PU-15-35.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-97
Bridger Pipeline LLC
16-inch Crude Oil Pipeline –
Billings & Stark
Siting Application

Ms. Fedorchak: I move the Commission deem complete the applications for certificate of corridor compatibility and a route permit, and further move the Commission issue a Notice of Filings and Public Hearing in Bridger Pipeline LLC, 16-inch Crude Oil Pipeline – Billings & Stark, Siting Application, Case No. PU-15-97.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-15-71
Wales Farmers Elevator, Inc.
License No. 922 - Hannah, ND
Discontinue Business

Mr. Christmann: I move the Commission adopt an order in Case No. GE-15-71 cancelling warehouse license number 922 issued to Wales Farmers Elevator, Inc. at Hannah, North Dakota and ordering that business at Hannah is discontinued.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-15-151
Walhalla Bean Company
Grain Warehouse
Discontinue Business

Mr. Christmann: I move the Commission adopt an order in Case No. GE-15-151 cancelling warehouse license numbers 505, 1147, and 1210, respectively issued to Walhalla Bean Company and ordering that business at Walhalla, Merrifield, and McVile, North Dakota, is discontinued.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-15-152
Columbia Grain, Inc.
Facility-Based Grain Buyer
License Application

Mr. Christmann: I move the Commission adopt an order in Case No. GE-15-152 granting the request of Columbia Grain, Inc. to operate as a facility-based grain buyer at Walhalla and Merrifield, North Dakota.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-15-154
BP & Sons Grain and Storage, Inc.
Roving Grain Buyer –
Morden, Manitoba Canada
License Application

Mr. Christmann: I move the Commission adopt an order in Case No. GE-15-154 granting the request of BP & Sons Grain and Storage, Inc. of Morden, Manitoba, Canada to operate as a roving grain buyer in North Dakota.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-131
Otter Tail Power Company
Environmental Cost Recovery
Rates

Mr. Kalk: I move the commission suspend the tariff revisions filed in Otter Tail Power Company's Annual Environmental Cost Recovery Rider and reduce the filing fee to \$10,000, Case No. PU 15-131.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-131
Otter Tail Power Company
Environmental Cost Recovery
Rates

Mr. Kalk: I move the Commission issue a Notice of Opportunity for Hearing, in Otter Tail Power Company's Environmental Cost Recovery Rider, Case No. PU-15-131.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-143
Montana-Dakota Utilities Co.,
a Division of MDU
Environmental Cost Recovery
Rates

Mr. Kalk: I move the Commission suspend the tariff revisions and rates filed in Montana-Dakota Utilities Co.'s Annual Environmental Cost Recovery Rider and reduce the filing fee to \$10,000, Case No. PU 15-143.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-143
Montana-Dakota Utilities Co.,
a Division of MDU
Environmental Cost Recovery
Rates

Mr. Kalk: I move the Commission issue a Notice of Opportunity for Hearing in Montana-Dakota Utilities Co.'s, Environmental Cost Recovery Tariff and Rates, Case No. PU-15-143.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-813
Basin Electric Power Cooperative
North Killdeer Loop Phase I 345 kV
Transmission
Siting Application

Mr. Kalk: I move the Commission adopt the Findings of Fact, Conclusions of Law and Order issuing Certificate of Corridor Compatibility No. 167 and Route Permit No.179 in Basin Electric Power Cooperative, North Killdeer Loop Phase I 345 kV Transmission, Siting Application, Case No. PU-14-813.

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 adopt the Findings of Fact, Conclusions of Law and Order issuing Certificate of Site Compatibility No. 44 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-14-852
Basin Electric Power Cooperative
Lonesome Creek Station Phase III
Project
Siting Application

Mr. Kalk: I move the Commission adopt the Findings of Fact, Conclusions of Law and Order issuing Certificate of Site Compatibility No. 43 in Basin Electric Power Cooperative, Lonesome Creek Station Phase III Project, Siting Application, Case No. PU-14-852.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

AML Seasonal Inspector/GIS
Technician

Ms. Fedorchak: I move the Commission acknowledge the offer made to Preston Ripplinger for seasonal part-time employment as a Project Inspector/GIS Technician for the AML Division for a period of employment starting on April 27, 2015, and ending no later than November 25, 2015, at a salary of \$22.00 per hour plus time and a half for hours in excess of the standard 40 hour work week.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

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

Ms. Fedorchak: I move the Commission retain Mitchell D. Armstrong and Brian Schmidt, effective 30 March 2015, to provide legal services to assist the Commission as advocacy staff counsel in processing Northern States Power Company, Advance Prudence, 345 MW Mankato Energy Center, Application, Case No. PU-15-96.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Salary Adjustments

Ms. Fedorchak: I move the Commission grant a salary increase for Position No. 28752 effective April 1, 2015, Position No. 4998 effective May 1, 2015, and for Position No. 5004 effective May 15, 2015 as specified in the memorandum dated April 28, 2015.


Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

ATTEST


Executive Secretary

THE COMMISSION ADJOURNED AT 12:06 P.M.


JULIE FEDORCHAK, CHAIRMAN