

May 13, 2015

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on May 13, 2015, 10:00 a.m. Present were Commissioners Fedorchak and Christmann. Commissioner Kalk participated by telephone and authorized his administrative assistant to sign orders on his behalf.

Minutes

Ms. Fedorchak: I move the minutes of April 29, 2015 be approved.

Mr. Christmann: 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 County
Siting Application

Ms. Fedorchak: I move the Commission issue a siting fee interim refund in the amount of \$18,711.15 in TransCanada Keystone Pipeline, LP, 30-Inch Crude Oil Pipeline/Cavalier to Sargent Cty, Siting Application, Case No. PU-06-421.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-09-750
Bridger Pipeline LLC
Crude Oil Pipeline - McKenzie, Dunn,
Billings
Siting Application

Ms. Fedorchak: I move the Commission issue a siting fee interim refund in the amount of \$55,807.31 in Bridger Pipeline LLC, Crude Oil Pipeline – McKenzie, Dunn, Billings, Siting Application, Case No. PU-09-750.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-10-120
Hess Corporation
Tioga Gas Plant Addition –
Williams County
Siting Application

Ms. Fedorchak: I move the Commission issue a siting fee interim refund in the amount of \$71,398.34 in Hess Corporation, Tioga Gas Plant Addition – Williams Cty, Siting Application, Case No. PU-10-120.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-10-130
Enbridge Pipelines (North Dakota) LLC
Berthold Station Upgrades
Siting Application

Ms. Fedorchak: I move the Commission issue a siting fee interim refund in the amount of \$29,122.41 in Enbridge Pipelines (North Dakota) LLC, Berthold Station Upgrades, Siting Application, Case No. PU-10-130.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-10-218
BakkenLink Pipeline, LLC
Crude Oil Pipeline - Williams to Billings
Counties
Siting Application

Ms. Fedorchak: I move the Commission issue a siting fee interim refund in the amount of \$47,948.35 in BakkenLink Pipeline, LLC, Crude Oil Pipeline – Williams to Billings Counties, Siting Application, Case No. PU-10-218.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-10-568
Bear Paw Energy, LLC
Garden Creek Plant - Gas Processing -
McKenzie Cty
Siting Application

Ms. Fedorchak: I move the Commission issue a siting fee interim refund in the amount of \$39,314.79 in Bear Paw Energy, LLC, Garden Creek Plant – Gas Processing – McKenzie Cty, Siting Application, Case No. PU-10-568.

Mr. Christmann: I second the motion.
Roll Call: All voting "Aye."

Case No. PU-10-612
Enbridge Pipelines (North Dakota) LLC
Bakken Pipeline Project US –
Ward & Burke Counties
Siting Application

Ms. Fedorchak: I move the Commission issue a siting fee interim refund in the amount of \$69,490.23 in Enbridge Pipelines (North Dakota) LLC, Bakken Pipeline Project US – Ward & Burke Counties, Siting Application, Case No. PU-10-612.

Mr. Christmann: I second the motion.
Roll Call: All voting "Aye."

Case No. PU-10-613
Enbridge Pipelines (North Dakota) LLC
Beaver Lodge Loop Project - Williams,
Mountrail, Ward Counties
Siting Application

Ms. Fedorchak: I move the Commission issue a siting fee interim refund in the amount of \$63,994.08 in Enbridge Pipelines (North Dakota) LLC, Beaver Lodge Loop Project – Williams, Mountrail & Ward Counties, Siting Application, Case No. PU-10-613.

Mr. Christmann: I second the motion.
Roll Call: All voting "Aye."

Case No. PU-10-630
Plains Pipeline, L.P.
Crude Oil Pipeline - Williams County
Siting Application

Ms. Fedorchak: I move the Commission issue a siting fee interim refund in the amount of \$65,432.16 in Plains Pipeline, L.P., Crude Oil Pipeline – Williams County, Siting Application, Case No. PU-10-630.

Mr. Christmann: I second the motion.
Roll Call: All voting "Aye."

Case No. PU-10-637
Rangeland Pipeline, LLC
Crude Oil Pipeline - Williams County
Siting Application

Ms. Fedorchak: I move the Commission issue a siting fee interim refund in the amount of \$63,523.38 in Rangeland Pipeline, LLC, Crude Oil Pipeline – Williams County, Siting Application, Case No. PU-10-637.

Mr. Christmann: I second the motion.
Roll Call: All voting "Aye."

Case No. PU-10-666
Bear Paw Energy, LLC
Gas Processing Plants - Williams
County
Siting Application

Ms. Fedorchak: I move the Commission issue a siting fee interim refund in the amount of \$67,928.65 in Bear Paw Energy, LLC, Gas Processing Plants – Williams County, Siting Application, Case No. PU-10-666.

Mr. Christmann: I second the motion.
Roll Call: All voting "Aye."

Case No. PU-11-66
Bear Paw Energy, LLC
Garden Creek to Riverview NGL
Pipeline, McKenzie Cty
Siting Application

Ms. Fedorchak: I move the Commission issue a siting fee interim refund in the amount of \$68,764.29 in Bear Paw Energy, LLC, Garden Creek to Riverview NGL Pipeline, McKenzie Cty, Siting Application, Case No. PU-11-066.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-605
Enbridge Pipelines (North Dakota) LLC
Grenora Station Upgrade Project -
Williams County
Siting Application

Ms. Fedorchak: I move the Commission issue a siting fee interim refund in the amount of \$72,699.30 in Enbridge Pipelines (North Dakota) LLC, Grenora Station Upgrade Project – Williams County, Siting Application, Case No. PU-11-605.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-606
Enbridge Pipelines (North Dakota) LLC
Little Muddy Station Connection
Project - Williams
Siting Application

Ms. Fedorchak: I move the Commission issue a siting fee interim refund in the amount of \$74,715.45 in Enbridge Pipelines (North Dakota) LLC, Little Muddy Station Connection Project - Williams, Siting Application, Case No. PU-11-606.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-683
ONEOK Rockies Midstream, L.L.C.
Stateline to Riverview NGL Pipeline -
Williams Cty
Siting Application

Ms. Fedorchak: I move the Commission issue a siting fee interim refund in the amount of \$11,566.71 in ONEOK Rockies Midstream, L.L.C., Stateline to Riverview NGL Pipeline – Williams Cty, Siting Application, Case No. PU-11-683.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-40
Plains Pipeline, L.P.
Nelson to Ross Pipeline –
Mountrail County
Siting Application

Ms. Fedorchak: I move the Commission issue a siting fee interim refund in the amount of \$45,077.67 in Plains Pipeline, L.P., Nelson to Ross Pipeline – Mountrail County, Siting Application, Case No. PU-12-040.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-656
ONEOK Rockies Midstream, L.L.C.
Garden Creek II Plant –
McKenzie County, ND
Siting Application

Ms. Fedorchak: I move the Commission issue a siting fee interim refund in the amount of \$45,866.81 in ONEOK Rockies Midstream, L.L.C., Garden Creek II Plant – McKenzie County, ND, Siting Application, Case No. PU-12-656.

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
Siting Application

Ms. Fedorchak: I move the Commission issue a siting fee interim refund in the amount of \$29,378.97 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-14-769
Meadowlark Midstream Co. / Epping
Transmission Co.
Little Muddy Creek Pipeline & Epping
Station Pjct
Siting Application

Ms. Fedorchak: I move the Commission execute a contract with Houston Engineering, Inc., for construction inspection services in Meadowlark Midstream Co. / Epping Transmission, Little Muddy Creek Pipeline & Epping Station Pjct, Siting Application, Case No. PU-14-769.

Mr. Christmann: I second the motion.
Roll Call: All voting "Aye."

Case No. PU-14-823
Meadowlark Midstream Company, LLC
10-inch Crude Oil Pipeline –
Divide & Burke Cnty
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, 10-inch Crude Oil Pipeline - Divide & Burke Cnty, Siting Application, Case No. PU-14-823.

Mr. Christmann: I second the motion.
Roll Call: All voting "Aye."

Case No. PU-10-164
Montana-Dakota Utilities Co.,
a Division of MDU
230kV Transmission Line –
McIntosh, Dickey County
Siting Application

Ms. Fedorchak: I move the Commission issue a siting fee interim refund in the amount of \$65,185.49 in Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., 230kV Transmission Line – McIntosh, Dickey County, Siting Application, Case No. PU-10-164.

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 execute a contract with Rothschild Financial Consulting for a cost of capitol expert in Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., Natural Gas Service Rate Increase, Application, Case No. PU-15-90.

Mr. Christmann: I second the motion.
Roll Call: All voting "Aye."

Case No. PU-08-797
Sequoia Energy US Inc.
150MW Border Winds Energy Project -
Rolette County
Siting Application

Ms. Fedorchak: I move the Commission issue a siting fee interim refund in the amount of \$63,858.64 in Sequoia Energy US Inc., 150MW Border Winds Energy Project – Rolette County, Siting Application, Case No. PU-08-797.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-162
Allete, Inc.
Bison 3 Wind Project –
Oliver - Morton Counties
Siting Application

Ms. Fedorchak: I move the Commission issue a siting fee interim refund in the amount of \$55,045.13 in Allete, Inc., Bison 3 Wind Project – Oliver – Morton Counties, Siting Application, Case No. PU-11-162.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-769
Meadowlark Midstream Co. / Epping
Transmission Co.
Little Muddy Creek Pipeline & Epping
Station Pjct
Siting Application

Ms. Fedorchak: I move the Commission adopt the Order adopting the Hearing Officer's April 2, 2015 Proposed Findings of Fact, Conclusions of Law, and Proposed Order in Meadowlark Midstream Co. / Epping Transmission, Little Muddy Creek Pipeline & Epping Station Pjct, Siting Application, Case No. PU-14-769.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-823
Meadowlark Midstream Company, LLC
10-inch Crude Oil Pipeline –
Divide & Burke Cnty
Siting Application

Ms. Fedorchak: I move the Commission adopt the Findings of Fact, Conclusions of Law and Order in Meadowlark Midstream Company, LLC, 10-inch Crude Oil Pipeline – Divide & Burke Cnty, Siting Application, Case No. PU-14-823.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-15-178
2016 Administration and Enforcement
Grant
Application

Mr. Christmann: I move the Commission submit the 2016 Administration and Enforcement Grant Application to the Office of Surface Mining to request federal funds that are needed to carry out the coal regulatory program for the next grant period that begins July 1, 2015 and ends June 30, 2016.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-15-182
The Andersons, Inc.
Roving Grain Buyer - Maumee, OH
License Application

Mr. Christmann: I move the Commission adopt an order in Case No. GE-15-182 granting the request of The Andersons, Inc. of Maumee, Ohio to operate as a roving grain buyer in North Dakota.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-14-846
Coyote Creek Mining Company, LLC
Revision No. 1 for Permit NACC-1302
Approval

Mr. Christmann: I move the Commission acknowledge its May 11th issuance of a Notice of Informal Conference in Case No. RC-14-846, the application for Revision No. 1 to Surface Coal Mining Permit NACC-1302 held by the Coyote Creek Mining Company, L.L.C.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. GS-13-613
Robert Gibb & Sons, Inc.
Damage Prevention Enforcement

Mr. Kalk: I move the Commission adopt the Consent Order in Public Service Commission, Robert Gibb & Sons, Inc., Damage Prevention Enforcement, Case No. GS-13-613.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

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

Mr. Kalk: I move the Commission adopt the Order on Eligible Telecommunications Carrier Designation, Daktel Communications LLC, Designated Eligible Carrier, Application, Case No. PU-15-119.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-124
Rolette Power Development, LLC
Rolette Wind Energy Project –
Rolette County
Siting Application

Mr. Kalk: I move the Commission deem the application complete conditioned on receiving final turbine locations and site plan at least ten days prior to hearing and issue a Notice of Filing and Notice of Hearing in Rolette Power Development, LLC, Rolette Wind Energy Project - Rolette County, Siting Application, Case No. PU-15-124.

JMr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-177
Telecommunications Relay Service
Misc. Case

Mr. Kalk: I move the Commission publish notice of the 2015-2016 Telecommunications Relay Service Surcharge in the daily newspapers of general circulation in the state of North Dakota, Public Service Commission, Telecommunications Relay Service, Miscellaneous Case, Case No. PU-15-177.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-175
Northern States Power Company
200 MW Courtenay Wind Farm
Public Convenience & Necessity

Case No. PU-15-181
Northern States Power Company
Advance Prudence - 200 MW
Courtenay Wind Farm
Application

Case No. PU-15-183
Northern States Power Company
Discontinue Prudence - Courtenay
Wind Farm PPA
Application

Case No. PU-15-174
Northern States Power Company /
Courtenay Wind
Transfer of Site Certificate
Siting Application

Case No. PU-15-111
Dickinson Wind, LLC
150 MW Wind Energy Center –
Stark County
Siting Application

Case No. PU-15-133
Dickinson Wind, LLC
230 kV Transmission Line –
Stark County
Siting Application

Case No. PU-15-110
Capital Electric Cooperative Inc. vs
Montana-Dakota Utilites Co.
Complaint

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, under North Dakota Administrative Code section 69-02-04-04, and issue a Notice of Consolidated Hearing in Northern States Power Company 200 MW Courtenay Wind Farm, Public Convenience and Necessity, Case No. PU-15-175, Northern States Power Company, Advance Prudence – 200 MW Courtenay Wind Farm, Application, Case No. PU-15-181, and Northern States Power Company, Discontinue Prudence – Courtenay Wind Farm PP Application, Case No. PU-15-183.

I further move the Commission assess a filing fee of \$170,000 in Case No. PU-15-175.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Mr. Kalk: I move the Commission issue a Notice of Opportunity for Hearing in Northern States Power Company / Courtenay Wind, Transfer of Site Certificate, Siting Application, Case No. PU-15-174.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Mr. Kalk: I move the Commission grant Applicant's request for continuance and continue indefinitely the hearing that was scheduled for May 18, 2015 in Dickinson Wind, LLC, 150 MW Wind Energy Center – Stark County, Siting Application, Case No. PU-15-111 and Dickinson Wind, LLC, 230 kV Transmission Line – Stark County, Siting Application, Case No. PU-15-133.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Mr. Kalk: I move the Commission find that the complaint states a prima facie case and that the Commission serve the complaint on the respondent in Capital Electric Cooperative, Inc. vs Montana-Dakota Utilities Co., Complaint, Case No. PU-15-110.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-142
Vantage Pipeline US LP
8-inch HVP Pipeline - West Spur
Pipeline Pjct
Siting Application

Ms. Fedorchak: I move the Commission retain Mitchell D. Armstrong and Brian Schmidt to provide legal services to assist the Commission in processing Vantage Pipeline US LP, 8-inch HVP Pipeline, West Spur Pipeline Project, Siting Application, Case No. PU-15-142.

Mr. Christmann: I second the motion.
Roll Call: All voting "Aye."

New Hire
Pipeline Safety Inspector

Ms. Fedorchak: I move the Commission acknowledge the offer to and acceptance of Craig Reamann to fill Position No. 28866, Pipeline Safety Inspector effective May 26, 2015, under the terms specified in the May 7, 2015 written offer of employment.

Mr. Christmann: I second the motion.
Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 12:20 P.M.


Executive Secretary


JULIE FEDORCHAK, CHAIRMAN