

September 2, 2015

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on September 2, 2015, 10:00 a.m. Present were Commissioners Fedorchak, Christmann and Kalk.

Minutes

Ms. Fedorchak: I move the minutes of August 12, 24, 2015 be approved.

Mr. Kalk: 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 County  
Siting Application

Ms. Fedorchak: I move the Commission issue a siting fee interim refund in the amount of \$55,494.09 in Meadowlark Midstream Company, LLC, 10-inch Crude Oil Pipeline – Divide & Burke Cnty, Siting Application, Case No. PU-14-823.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-222  
Midcontinent Comm. /  
Dakota Central Telecom I  
Interconnection Agreement  
Application

Ms. Fedorchak: I move the Commission bill Midcontinent Comm. / Dakota Central Telecom I for costs incurred to date in Case No. PU-15-222, Midcontinent Comm. / Dakota Central Telecom I Interconnection Agreement.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-15-644  
Roger Diehm  
Auctioneer  
License Application

Ms. Fedorchak: I move the Commission approve the auctioneer license application for Roger Diehm of Columbia City, Indiana.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-15-645  
Bradley Horrall  
Auctioneer  
License Application

Ms. Fedorchak: I move the Commission approve the auctioneer license application for Bradley Horrall of Columbia City, Indiana.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-15-646  
Kevin Jordan  
Auctioneer  
License Application

Ms. Fedorchak: I move the Commission approve the auctioneer license application for Kevin Jordan of Columbia City, Indiana.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-224  
Otter Tail Power Company  
Kevin Klosterman - Richland 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, Kevin Klosterman – Richland County, Public Convenience & Necessity, Case No. PU-15-224

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-227  
Montana-Dakota Utilities Co.,  
a Division of MDU  
BNSF Railway Company –  
Williams County  
Public Convenience & Necessity

Ms. Fedorchak: I move the Commission adopt the Order and issue a Certificate of Public Convenience and Necessity in Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., BNSF Railway Company – Williams County, Public Convenience & Necessity, Case No. PU-15-227.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-228  
Montana-Dakota Utilities Co.,  
a Division of MDU  
Crestwood Crude Logistics LLC -  
Williams County  
Public Convenience & Necessity

Ms. Fedorchak: I move the Commission adopt the Order and issue a Certificate of Public Convenience and Necessity in Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., Crestwood Crude Logistics LLC – Williams County, Public Convenience & Necessity, Case No. PU-15-228.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-313  
Otter Tail Power Company  
Kevin Klosterman - Richland 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, Kevin Klosterman – Richland County, Public Convenience & Necessity, Case No. PU-15-313.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-517  
Otter Tail Power Company  
Dan Drovdal - McHenry 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, Dan Drovdal – McHenry County, Public Convenience & Necessity, Case No. PU-15-517.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-635  
Otter Tail Power Company  
Loren & Tammy Delzer –  
McLean County  
Public Convenience & Necessity

Ms. Fedorchak: I move the Commission issue a Notice of Opportunity for Hearing in Otter Tail Power Company, Loren & Tammy Delzer - McLean County, Public Convenience & Necessity, Case No. PU-15-635.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GS-14-723  
2015 One-Call Grant  
Grants and Contracts

Ms. Fedorchak: I move the Commission execute a contract with Newman Signs, Inc. for advertising services in Public Service Commission, 2015 One-Call Grant, Grants and Contracts, Case No. GS-14-723.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-624  
Otter Tail Power Company  
Canadian Pacific Railroad –  
Richland County  
Public Convenience & Necessity

Ms. Fedorchak: I move the Commission issue a Notice of Opportunity for Hearing in Otter Tail Power Company, Canadian Pacific Railroad – Richland County, Public Convenience & Necessity, Case No. PU-15-624.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-486  
Hiland Crude, LLC  
Alexander Tank Farm Crude Oil  
Pipeline-McKenzie  
Siting Application

Ms. Fedorchak: I move the Commission deem complete the applications for a certificate of corridor compatibility and a route permit, and further move the Commission issue a Notice of Filings and Public Hearing in Hiland Crude, LLC, Alexander Tank Farm Crude Oil Pipeline–McKenzie, Siting Application, Case No. PU-15-486.

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 Project  
Siting Application

Ms. Fedorchak: I move the Commission adopt the Findings of Fact, Conclusions of Law and Order in Vantage Pipeline US LP, 8-inch HVP Pipeline – West Spur Pipeline Pjct, Siting Application, Case No. PU-15-142.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-15-140  
Coteau Properties Company  
Revision No. 30 for  
Permit NACT-8503  
Approval

Mr. Christmann: I move the Commission approve Revision No. 30 to Surface Coal Mining Permit NACT-8503, held by Coteau Properties Company to delete 32.271 acres from the permit that have not been disturbed by mining activities.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-15-642  
Identity Preserved Ingredients, LLC  
License No. 1222 - Hillsboro, ND  
Discontinue Business

Mr. Christmann: I move the Commission adopt an order in Case No. GE-15-642 cancelling warehouse license number 1222 issued to Identity Preserved Ingredients, LLC at Hillsboro, North Dakota and ordering that business at Hillsboro is discontinued.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-15-626  
Anchor Ingredients Co., LLC  
Grain Warehouse - Hillsboro, ND  
License Application

Mr. Christmann: I move the Commission adopt an order in Case No. GE-15-626 granting the request of Anchor Ingredients Co., LLC to operate a 366,000-bushel grain warehouse at Hillsboro, North Dakota.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-15-638  
American Bean, LLC  
Grain Warehouse - Webster, ND  
License Application

Mr. Christmann: I move the Commission adopt an order in Case No. GE-15-638 granting the request of American Bean, LLC of Oslo, Minnesota, to operate a 184,000-bushel grain warehouse at Webster, North Dakota.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-15-639  
Thompsons USA Limited  
Grain Warehouse - Northwood, ND  
License Application

Mr. Christmann: I move the Commission Amend the Order Granting License Application in Thompsons USA Limited, Grain Warehouse – Northwood, ND, License Application, Case No. GE-15-639.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-15-641  
North Dakota Bean, LLC  
Grain Warehouse - Grand Forks, ND  
License Application

Mr. Christmann: I move the Commission adopt an order in Case No. GE-15-641 granting the request of North Dakota Bean, LLC to operate a 192,000-bushel grain warehouse at Grand Forks, North Dakota.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-15-643  
SRS Commodities Limited  
Grain Warehouse -  
Portland & Portland (Rural)  
License Application

Mr. Christmann: I move the Commission adopt an order in Case No. GE-15-643 granting the request of SRS Commodities Limited of Mayville, North Dakota, to operate a 270,000-bushel grain warehouse at Portland Rural and a 164,000 bushel grain warehouse at Portland, North Dakota.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-15-637  
FCStone Merchant Services, LLC  
Grain Warehouse - Northwood, ND  
License Application

Mr. Christmann: I move the Commission adopt an order in Case No. GE-15-637 granting the request of FCStone Merchant Services, LLC to operate a 58,000-bushel grain warehouse at Northwood, North Dakota.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

2015 Grain Elevator Statistics

Discussion Only

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

Mr. Kalk: I move the Commission adopt the Supplemental Order issuing Third Amended Corridor Certificate No. 152 and Third Amended Route Permit No. 164 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-14-679  
Antelope Hills Wind Project, LLC  
Wind Energy Conversion Facility -  
Mercer County  
Siting Application

Mr. Kalk: I move the Commission grant withdrawal of the amendment application and cancel the hearing currently scheduled for September 4, 2015 in Antelope Hills Wind Project, LLC, Wind Energy Conversion Facility – Mercer County, Siting Application, Case No. PU-14-679.

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

Case No. PU-15-486  
Hiland Crude, LLC  
Alexander Tank Farm Crude Oil  
Pipeline-McKenzie  
Siting Application

Ms. Fedorchak: I move the Commission request the Director of the Office of Administrative Hearings to appoint the designated Administrative Law Judge to preside as a substantive hearing officer in Hiland Crude, LLC., Alexander Tank Farm Crude Oil Pipeline, McKenzie County, Case No. PU-15-486.

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

Case No. PU-15-486  
Hiland Crude, LLC  
Alexander Tank Farm Crude Oil  
Pipeline-McKenzie  
Siting Application

Ms. Fedorchak: I move that the Commission retain Mitchell Armstrong and Brian Schmidt to provide legal services to assist the Commission in processing Hiland Crude, LLC, Alexander Tank Farm Crude Oil Pipeline–McKenzie, Siting Application, Case No. PU-15-486.

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

Case No. PU-15-614  
Plains Pipeline, L.P.  
Highway 1804 Re-Route  
North Pipeline Project  
Siting Application

Ms. Fedorchak: I move that the Commission retain Zachary Pelham to provide legal services to assist the Commission in processing Plains Pipeline, L.P., Highway 1804 Re-Route North Pipeline Project, Siting Application, Case No. PU-15-614.

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

New Hire - Temporary Office Assistant

Ms. Fedorchak: I move the Commission acknowledge the offer to and acceptance of Kristen Solberg to fill the temporary Office Assistant position, effective September 1, 2015, under the terms specified in the August 12, 2015 written offer of employment.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 12:18 P.M.

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Executive Secretary

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Julie Fedorchak, Chairman