

October 23, 2015

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on October 23, 2015, 2:00 p.m. Present was Commissioner Christmann. Commissioner Fedorchak and Commissioner Kalk participated by telephone.

Case No. PU-14-736
Public Service Commission
EPA Proposed 111d Regulations
Information

Mr. Christmann: I move the Commission convene an executive session for attorney consultation in this potential litigation matter, Public Service Commission, EPA Proposed 111d Regulations, Information, Case Number PU-14-736.

Mr. Kalk: I second the motion.

Roll Call: Christmann "Aye."

Fedorchak "Aye."

Kalk "Aye."

Mr. Christmann: We will now ask the members of the public who are attending the meeting to leave the room. We anticipate adjourning the executive session and reconvening the open portion of the meeting, at approximately 2:30 p.m.

The minutes will show that the executive session began at 2:10 p.m. and was attended by Commissioner Randy Christmann, Victor Schock, Steve Kahl, Jack Schuh, Stacey Eberl, Illona Jeffcoat-Sacco, Esther Jangula and by telephone Commissioner Julie Fedorchak, Commissioner Brian Kalk and Paul Seby.

The minutes will show that the executive session was adjourned at 2:23 p.m. The public has been invited to return to the meeting room and we are now back in open session. If there are any motions that need to be handled immediately, they are in order now.

Case No. PU-14-736
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Mr. Christmann: Whereas, the United States Environmental Protection Agency (EPA) has today issued a Final Rule entitled "Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units" 80 Fed. Reg. 64661 (October 23, 2015);

Whereas, The State of North Dakota has immediately initiated litigation in the United States Court of Appeals challenging the EPA rule;

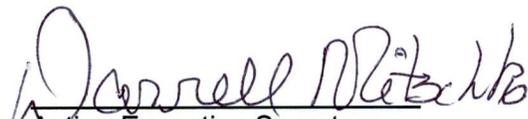
I move the Commission endorse the declaration of Commissioner Randy Christmann for use in the litigation initiated by the State of North Dakota, in Public Service Commission, EPA Proposed 111d Regulations, Information, Case Number PU-14-736.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 2:26 P.M.



Acting Executive Secretary



Randy Christmann, Acting Chairman