

May 5, 2016

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on May 5, 2016, 10:00 a.m. Present were Commissioners Fedorchak, Christmann and Kalk.

Minutes

Ms. Fedorchak: I move the minutes of April 20, 2016 be approved.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-114  
Sacagawea Pipeline Company, LLC  
16-inch Crude Oil Pipeline –  
McKenzie & Mountrail  
Siting Application

Ms. Fedorchak: I move the Commission issue a siting application fee interim refund in the amount of \$13,496.24 in Sacagawea Pipeline Company, LLC, 16-inch Crude Oil Pipeline – McKenzie & Mountrail, Siting Application, Case No. PU-15-114.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-416  
Hiland Crude, LLC  
New Town Expansion Project -  
Mountrail County  
Siting Application

Ms. Fedorchak: I move the Commission issue a siting application fee interim refund in the amount of \$51,631.47 in Hiland Crude, LLC, New Town Expansion Project – Mountrail County, Siting Application, Case No. PU-15-416.

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 issue a siting application fee interim refund in the amount of \$1,050.50 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-15-670  
Sacagawea Pipeline Company, LLC  
12-inch Crude Oil Pipeline –  
Mountrail County  
Siting Application

Ms. Fedorchak: I move the Commission issue a siting application fee interim refund in the amount of \$48,451.05 in Sacagawea Pipeline Company, LLC, 12-Inch Crude Oil Pipeline – Mountrail County, Siting Application, Case No. PU-15-670.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-733  
Oasis Midstream Services LLC  
10.75-inch Crude Oil Pipeline -  
McKenzie County  
Siting Application

Ms. Fedorchak: I move the Commission issue a siting application fee interim refund in the amount of \$24,555.25 in Oasis Midstream Services LLC, 10.75-inch Crude Oil Pipeline – McKenzie County, Siting Application, Case No. PU-15-733.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-16-178  
Leif Bakken  
Auctioneer  
License Application

Ms. Fedorchak: I move the Commission approve the auctioneer license application for Leif Bakken of Lemmon, South Dakota.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-871  
Montana-Dakota Utilities Co.,  
a Division of MDU  
Menard Inc. - Burleigh County, ND  
Public Convenience & Necessity

Ms. Fedorchak: I move the Commission issue an application fee refund in the amount of \$1,556.53 in Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., Menard Inc. – Burleigh County, ND, Public Convenience & Necessity, Case No.

PU-13-871.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-704  
Otter Tail Power Company  
Inter-Community Telephone  
Company - Cass County  
Public Convenience & Necessity

Ms. Fedorchak: I move the Commission issue a Notice of Opportunity for Hearing in Otter Tail Power Company, Inter-Community Telephone Company – Cass County, Public Convenience & Necessity, Case No. PU-14-704.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-716  
Montana-Dakota Utilities Co.,  
a Division of MDU  
BNSF Railway - Williams County  
Public Convenience & Necessity

Ms. Fedorchak: I move the Commission issue a Notice of Opportunity for Hearing in Montana-Dakota Utilities, Co., a Division of MDU Resources Group, Inc., BNSF Railway – Williams County, Public Convenience & Necessity, Case No. PU-14-716.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-704  
Montana-Dakota Utilities Co.,  
a Division of MDU  
Generation Resource Cost Recovery  
Tariff and Rates

Ms. Fedorchak: I move the Commission issue an application fee refund in the amount of \$7,312.91 in Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., Generation Resource Cost Recovery, Tariff and Rates, Case No. PU-15-704.

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 acknowledge staff approval issued April 21, 2016 of transmission line structure relocations filed April 1, 2016 with addendum filed April 18, 2016 in Basin Electric Power Cooperative, 345 kV Transmission 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-16-150  
Montana-Dakota Utilities Co.,  
a Division of MDU  
Environmental Cost Recovery  
Rates

Ms. Fedorchak: I move the Commission authorize the Environmental Cost Recovery Rider (ECRR) Rate 57 tariff an extension of adjustment period until implementation of final rates in the 2016 electric rate case application in Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., Environmental Cost Recovery, Rates, Case No. PU-16-150.

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 adopt the Third Amended Findings of Fact, Conclusions of Law and Order in Hiland Crude, LLC, Crude Oil Pipeline, McKenzie, Williams, Mountrail, Siting Application, Case No. PU-13-136.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-16-95  
Bakken Oil Express, LLC  
Dickinson Bypass Reroute - Stark  
Siting Application

Ms. Fedorchak: I move the Commission adopt the Order On Amending Certificate and Permit in Bakken Oil Express, LLC, Dickinson Bypass Reroute – Stark, Siting Application, Case No. PU-16-95.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-16-140  
Plains Terminals North Dakota LLC  
24-Inch Crude Oil Pipeline –  
McKenzie County  
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 Plains Terminals North Dakota LLC, 24-Inch Crude Oil Pipeline – McKenzie County, Siting Application, Case No. PU-16-140.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-16-48  
Midcontinent Communications  
Designated Eligible Carrier  
Application

Mr. Christmann: I move the Commission adopt the Order on Eligible Telecommunications Carrier Designation, Midcontinent Communications, Designated Eligible Carrier, Application, Case No. PU-16-48.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-15-755  
Falkirk Mining Company  
Revision No. 27 for  
Permit NAFK-9503  
Approval

Mr. Christmann: I move the Commission schedule a formal hearing on the decision to approve Revision No. 27 to Surface Coal Mining Permit No. NAFK-9503 held by the Falkirk Mining Company.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-669  
North Country Contracting LLC  
Damage Prevention Enforcement

Mr. Kalk: I move the Commission adopt the Consent Order in Public Service Commission, North Country Contracting LLC, Damage Prevention Enforcement, Case No. PU-15-669.

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

Case No. PU-16-140  
Plains Terminals North Dakota LLC  
24-Inch Crude Oil Pipeline –  
McKenzie County  
Siting Application

Mr. Kalk: I move that the Commission retain Zachary Pelham, effective April 25, 2016, to provide legal services to assist the Commission in processing Plains Terminals North Dakota LLC, 24-Inch Crude Oil Pipeline, McKenzie County, Siting Application, Case No. PU-16-140.

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

ATTEST

THE COMMISSION ADJOURNED AT 12:27 P.M.

  
Executive Secretary

  
JULIE FEDORCHAK, CHAIRMAN