

July 6, 2016

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on July 6, 2016, 10:00 a.m. Present were Commissioners Fedorchak, Christmann and Kalk.

Minutes

Ms. Fedorchak: I move the minutes of June 22, July 1, 2016 be approved.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-674  
NuStar Pipeline Operating  
Partnership, L.P.  
8-inch Refined Products Pipeline -  
Cass County  
Siting Application

Ms. Fedorchak: I move the Commission execute a contract with Houston Engineering, Inc. for construction inspection services in NuStar Pipeline Operating Partnership, L.P., 8-inch Refined Products Pipeline – Cass County, Siting Application, Case No. PU-15-674.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-16-392  
John Ketterling  
Auctioneer  
License Application

Ms. Fedorchak: I move the Commission approve the auctioneer license application for John Ketterling, Elgin, North Dakota.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-16-393  
Scott Sheets  
Auctioneer  
License Application

Ms. Fedorchak: I move the Commission approve the auctioneer license application for Scott Sheets, Williston, North Dakota.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-16-123  
Oliver Wind III, LLC  
Oliver III Wind Energy Center –  
Oliver & Morton Counties  
Siting Application

Ms. Fedorchak: I move the Commission execute a contract with Keitu Engineers & Consultants, Inc. for construction inspection services in Oliver Wind III, LLC, Oliver III Wind Energy Center – Oliver & Morton Counties, Case No. PU-16-123.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-16-122  
Oliver Wind III, LLC  
230 kV Transmission Line –  
Oliver & Morton  
Siting Application

Ms. Fedorchak: I move the Commission execute a contract with Keitu Engineers & Consultants, Inc. for construction inspection services in Oliver Wind III, LLC, 230 kV Transmission Line – Oliver & Morton, Case No. PU-16-122.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-16-287  
Montana-Dakota Utilities Co.,  
a Division of MDU  
Todd Whitney - Stark 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., Todd Whitney – Stark County, Public Convenience & Necessity, Case No. PU-16-287.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-813  
Northern States Power Company  
2013 Electric Rate Increase  
Application

Ms. Fedorchak: I move the Commission approve the revised Fuel Cost Rider Tariff Compliance Filing effective March 9, 2016, in the captioned Northern States Power Company's Cases PU-12-813; PU-13-706; PU-13-707; PU-13-708; PU-13-742; PU-13-743; PU 13 194; and PU-13-195.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-194  
Northern States Power Company  
Advance Prudence - NG Generators  
Application

Case No. PU-13-195  
Northern States Power Company  
Red River Valley NG Units 1 & 2 -  
Hankinson, ND  
Public Convenience & Necessity

Case No. PU-13-706  
Northern States Power Company  
Advance Prudence - Courtenay Wind  
Application

Case No. PU-13-707  
Northern States Power Company  
Advance Prudence - Odell Wind Pjc  
Application

Case No. PU-13-708  
Northern States Power Company  
Advance Prudence-Pleasant Valley  
Application

Case No. PU-13-742  
Northern States Power Company  
Advance Prudence - Border Winds  
Application

Case No. PU-13-743  
Northern States Power Company  
150 MW Border Winds Project - Rolette  
County, ND  
Public Convenience & Necessity

Case No. GE-16-378  
James Valley Grain, LLC  
Facility-Based Grain Buyer –  
Verona, ND  
License Application

Mr. Christmann: I move the Commission issue an order in Case No. GE-16-378 granting the request of James Valley Grain, LLC, Oakes, North Dakota to operate as a facility-based grain buyer at Verona, North Dakota.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-16-383  
Dakota Spirit AgEnergy, LLC  
License No. 1289 - Wimbledon, ND  
Discontinue Business

Mr. Christmann: I move the Commission adopt an order in Case No. GE-16-383 cancelling warehouse license number 1289 issued to Dakota Spirit AgEnergy, LLC at Wimbledon, North Dakota and ordering that business at Wimbledon is discontinued.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-16-384  
Bridgewell Resources LLC  
Roving Grain Buyer - Clackamas, OR  
Discontinue Business

Mr. Christmann: I move the Commission adopt an order in Case No. GE-16-384 cancelling roving grain buyer license number 3163 issued to Bridgewell Resources LLC and ordering that business in North Dakota is discontinued effective August 1, 2016.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-16-42  
Brady Wind II, LLC  
Brady II Wind Energy Center -  
Hettinger & Stark  
Siting Application

Mr. Kalk: I move the Commission adopt the Findings of Fact, Conclusions of Law and Order in Brady Wind II, LLC, Brady II Wind Energy Center – Hettinger & Stark, Siting Application, Case No. PU-16-42.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-16-305  
NST Express, LLC  
8-Inch Crude Oil Pipeline –  
McKenzie County  
Siting Application

Ms. Fedorchak: I move the Commission request the Director of the Office of Administrative Hearings designate an Administrative Law Judge to preside as a substantive hearing officer in NST Express, LLC, 8-Inch Crude Oil Pipeline, McKenzie County, Siting Application, Case No. PU-16-305.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-16-255  
Arthur Langved  
Damage Prevention Enforcement

Ms. Fedorchak: I move the Commission appoint John Schuh and Victor Schock as advocacy staff effective June 24, 2016, in Public Service Commission, Arthur Langved, Damage Prevention Enforcement, Case No. PU-16-255.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Post Probationary Period

Ms. Fedorchak: I move the approval of the satisfactory completion of the one-year probationary period of Position No. 28866 established in the Commission's May 7, 2015 written offer of employment.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Reduction-In-Force Policy - Non-substantive Corrections

Ms. Fedorchak: I move the Commission adopt corrections to Policy 3-08-96 (1), Reduction-in-Force, effective June 23, 2016.

PUBLIC SERVICE COMMISSION  
REDUCTION-IN-FORCE POLICY  
POLICY 3-08-96 (1) JUNE 23, 2016

A. PURPOSE

This policy identifies the process that the Commission will use in implementing North Dakota Administrative Code (N.D. Admin. Code) Chapter 4-07-11. The intent of the process is to retain the employees who will be best able to help the Commission carry on its work following the reduction.

B. POLICY

If it becomes necessary to implement a reduction-in-force, the Commission will assign the director of administration/executive secretary to review all Commission functions to identify activities that may be eliminated, consolidated, or performed more efficiently. The director of administration/executive secretary will then conduct a written analysis of the affected employees within the Commission to determine those employees who will be subject to the reduction-in-force. This recommendation will be forwarded to the Commission for final action.

C. GUIDANCE: N.D.C.C. Section 54-44.3-12  
N.D. Admin. Code Chapter 4-07-11

D. REFERENCES:  
(0) PSC Minutes March 6, 1996  
(0) PSC Minutes June 23, 2016  
(1) PSC Minutes July 6, 2016

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

ATTEST

  
Executive Secretary

THE COMMISSION ADJOURNED AT 11:09 A.M.

  
JULIE FEDORCHAK, CHAIRMAN