

February 27, 2003

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on February 27, 2003, 10:00 a.m. Present were Commissioners Wefald, Reinbold, and Clark.

Minutes

Mr. Reinbold: I move the minutes of February 12, 2003, be approved.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Bills

Mr. Reinbold: I move the following bills, as reviewed by the Commission, be approved and paid:

Berger Electric, Inc.	249.60
Ben Johnson Associates, Inc.	10,094.75
Fed Ex	43.06
Louis Ogaard	303.22
ND Newspaper Association	808.65
Leo Praus	428.00
CellularOne	216.07
Attorney General	42.82
Department of Transportation	5,977.98

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2715-02-265
Universal Broadband Communications, Inc.
Long Distance Reseller
Application

Mr. Reinbold: I move the Commission issue a Certificate of Registration to Universal Broadband Communications, Inc. to resell interexchange telecommunications services in North Dakota, Case No. PU-2715-02-265.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2828-03-79
Better World Telecom, Inc.
Long Distance Reseller
Application

Mr. Reinbold: I move the Commission issue a Certificate of Registration to Better World Telecom, Inc. to resell interexchange telecommunications services in North Dakota, Case No. PU-2828-03-79.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2831-03-88
Miko Telephone Communications, Inc.
Long Distance Reseller
Application

Mr. Reinbold: I move the Commission issue a Certificate of Registration to Miko Telephone Communications, Inc. to resell interexchange telecommunications services in North Dakota, Case No. PU-2831-03-88.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-399-03-18
Montana-Dakota Utilities Co., a
Division of MDU Resources Group, Inc
Arlene Biegler, Sterling, ND
Public Convenience & Necessity

Mr. Reinbold: I move the Commission adopt the Order and issue a Certificate of Public Convenience and Necessity authorizing Montana-Dakota Utilities Co. to extend electric service to Arlene Biegler for a well site near Sterling, North Dakota, Case No. PU-399-03-18.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2822-03-65
Joseph B. McNeal d/b/a Page
Data/Qwest Corporation
Interconnection Agreement
Amendment
Application

Mr. Clark: I move the Commission issue a Notice of Opportunity to File Written Comments in the captioned applications for approval of interconnection agreements.

Mr. Reinbold: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2823-03-70
WaveSent LLC/Qwest Corporation
Interconnection Agreement
Application

Case No. PU-2749-03-78
Celco Partnership/Reservation
Telephone Cooperative
Interconnection Agreement
Amendment
Application

Case No. PU-2442-03-81
New Edge Network, Inc./Qwest
Corporation
Interconnection Agreement
Amendment
Application

Case No. PU-2482-03-85
Preferred Carrier Services, Inc./Qwest
Corporation
Interconnection Agreement
Amendment
Application

Case No. PU-2823-03-90
WaveSent LLC/Qwest Corporation
Interconnection Agreement
Application
Notice of Opportunity to File Written
Comments

Case No. PU-2829-03-83
ITC Group/DCN/Illuminet
vs Qwest Corporation
Complaint
Prima Facie Case

Mr. Clark: I move the Commission find that the complaint states a *prima facie* case, and serve the complaint on Qwest Corporation.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2829-03-83
ITC Group/DCN/Illuminet
vs Qwest Corporation
Complaint
Attorney Appointment

Mr. Clark: I move the Commission admit attorney Thomas J. Moorman to practice before the Commission in ITC Group/DCN/Illuminet vs. Qwest Corporation Complaint, Case No. PU-2829-03-83.

Mr. Reinbold: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2342-01-296
Qwest Corporation
Interconnection/Wholesale Price
Investigation
Intervention

Mr. Clark: I move the Commission adopt the Order Granting Intervention to US Link, Inc., VAL-ED Joint Venture, LLP d/b/a 702 Communications, McLeodUSA Telecommunications, Inc., and IdeaOne Telecom Group, LLC in Qwest Corporation's Interconnection/Wholesale Price Investigation, Case No. PU-2342-01-296.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-399-02-183
Montana-Dakota Utilities Co., a
Division of MDU Resources Group, Inc
Natural Gas Rate Increase
Application

Mr. Reinbold: I move the commission authorize sole source procurement with Snively King Majaros O'Connor & Lee, Inc. for the purpose of conducting an analysis of the gas utility depreciation study filed by Montana-Dakota Utilities Co. in Case No. PU-399-02-183.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-402-03-82
Great Plains Natural Gas Co.
February 2003
Purchased Gas Adjustment

Mr. Reinbold: I move the Commission approve Great Plains Natural Gas Co.'s purchased gas adjustment for February 2003, Case No. PU-402-03-82.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-399-03-86
Montana-Dakota Utilities Co., a
Division of MDU Resources Group, Inc
March 2003
Purchased Gas Adjust. Propane

Mr. Reinbold: I move the Commission approve Montana-Dakota Utilities Co.'s propane purchased gas adjustment for March 2003, Case No. PU-399-03-86.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-399-03-86
Montana-Dakota Utilities Co., a
Division of MDU Resources Group, Inc
March 2003
Out-of-Cycle Gas Adjust. Propane

Mr. Reinbold: I move the Commission approve Montana-Dakota Utilities Co.'s request for a waiver from Section 2(b) of the Propane PCA tariff to allow this out-of-cycle adjustment, Case No. PU-399-03-86.

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

Case No. PU-399-03-87
Montana-Dakota Utilities Co., a
Division of MDU Resources Group, Inc
March 2003
Purchased Gas Adj. Natural Gas

Mr. Reinbold: I move the Commission approve Montana-Dakota Utilities Co.'s Natural Gas Purchased Gas Adjustment for March 2003, Case No. PU-399-03-87.

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

Case No. PU-399-03-87
Montana-Dakota Utilities Co., a
Division of MDU Resources Group, Inc
March 2003
Out-of-Cycle Gas Adj. Natural Gas

Mr. Reinbold: I move the Commission approve Montana-Dakota Utilities Co.'s request for a waiver from Section 4(a) of the PGA tariff to allow this out-of-cycle adjustment, Case No. PU-399-03-87.

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

Columbus Phase V
Title Memoranda
Close Out Contract

Mr. Reinbold: I move the Commission close out Contract No. AM-448-02 with Northwest Title & Abstract Company, Inc. in Williston, ND for title memoranda of the Columbus Phase V abandoned mine land site in Burke County.

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

Garrison/Buechler
Title Memoranda
Close Out Contract

Mr. Reinbold: I move the Commission close out Contract No. AM-449-02 with the McLean County Abstract Company, Inc. in Washburn, ND for title memoranda of the Buechler/Garrison Phase II abandoned mine land site in McLean County.

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

Lehigh Road Phase VIII
Title Memoranda
Close Out Contract

Mr. Reinbold: I move the Commission close out Contract No. AM-450-02 with Dickinson Title & Abstract Company, Inc. of Dickinson for title memoranda of the Lehigh Road Phase VIII abandoned mine land site in Stark County.

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

Beulah/Zap Phase VII, Columbus
Phase V, Garrison/Buechler, Lehigh
Road Phase VIII
Construction Services Procurement

Mr. Reinbold: I move the Commission authorize procurement of construction services for the Beulah/Zap Phase VII abandoned mine land site, located in Mercer County, Garrison/Buechler, located in McLean and Ward Counties, Columbus Phase V, located in Burke County, and the Lehigh Road Phase VIII site, located in Stark County, using competitive sealed bidding procedures.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-705-02-559
Falkirk Mining Company
Bond Release No. 1, Permit NAFK-9601
Application

Mrs. Wefald: I move the Commission approve Bond Release No. 1 to Surface Coal Mining Permit No. NAFK-9601, held by the Falkirk Mining Company, to release part of the performance bond for the completion of grading and soil respreading on 430.0 acres in portions of Sections 25 and 36, T146N, R82W, and Sections 30 and 31, T146N, R81W, of McLean County, at the Falkirk Mine. The amount of the release is \$628,287 and it will become effective March 31, 2003, unless a formal hearing is requested.

Mr. Reinbold: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 11:25 A.M.

Executive Secretary

TONY T. CLARK, PRESIDENT