

October 9, 2003

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on October 9, 2003, 10:00 a.m. Present were Commissioners Clark, Wefald, and Cramer.

Minutes

Mr. Cramer: I move the minutes of September 24, 2003, be approved.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Bills

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

Quality Construction, Inc.	33,720.11
FedEx	53.84
West Group Payment Center	11.25
Mark Knell	207.93
Dean K. Moos	42.00
Larry L. Larson	12.00
Larry Reisenauer	774.42
Stephan A. Schroeder	30.00
Kevin Hanson	697.52
Bruce E. Beechie	307.86
David Bickel	12.00
Bruce Johnson	18.00
Guy Welch	24.00
Patrick Fahn	700.24
Anthony T. Clark	623.43
Phyllis G. Richter	448.40
William E. Dodd	546.41
JP Robbins	685.36
Bill Eide	682.08
Leo Praus	302.21
Material Testing Services, Inc.	2,850.00
Public Utilities Reports	1,450.00
Richard Fillbrandt	655.83
Jerry Lein	53.00
Illona A. Jeffcoat-Sacco	649.95
John P. Muller Assoc.	997.00
Thiem Drilling, Inc.	8,658.00
Timothy A. Erdmann	517.54
James Deutsch	30.00
Kevin Cramer	42.46
Central Services – supplies	427.87
Facility Management	9.42
Office of Attorney General	264.79

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-399-03-498
Montana-Dakota Utilities Co., a
Division of MDU Resources Group, Inc
John D. Sauber, Palermo, ND
Public Convenience & Necessity

Mr. Cramer: I move the Commission adopt the Order issuing a Certificate of Public Convenience and Necessity authorizing Montana-Dakota Utilities Co. to extend electric service to John D. Sauber for a grain bin site near Stanley, North Dakota, Case No. PU-399-03-498.

Mrs. Wefald: I second the motion.
Roll Call: All voting "Aye."

Case No. AU-896-03-561
Steven O. French - Auctioneer
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Steven O. French, Denver, Colorado.

Mrs. Wefald: I second the motion.
Roll Call: All voting "Aye."

Case No. GE-2943-03-557
St. Hilaire Seed Company, Inc.
Grain Warehouse - St. Hilaire, MN
License Application

Mr. Clark: I move the Commission issue an order in Case No. GE-2943-03-557 granting the request of St. Hilaire Seed Company, Inc. to operate an 80,000-bushel bean warehouse at Wimbledon, North Dakota, and a 67,000-bushel bean warehouse at Hamilton, North Dakota, effective September 29, 2003.

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

Case No. GE-1283-03-558
AGP, Grain, Ltd.
License No. 876 - Adams, ND
Discontinue Business

Mr. Clark: I move the Commission issue an order in Case No. GE-1283-03-558 granting the request of AGP Grain, Ltd., Omaha, Nebraska, to discontinue business at Adams, North Dakota, effective September 29, 2003.

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

Case No. GE-587-03-559
Joseph McKittrick - Hay Buyer
Discontinue Business

Mr. Clark: I move the Commission issue an order in Case No. GE-587-03-559 granting the request of Joseph McKittrick, Bowman, North Dakota, to discontinue operating as a North Dakota hay buyer.

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

Case No. GE-2944-03-560
Kings, Inc.
Grain Warehouse
License Application

Mr. Clark: I move the Commission issue an order in Case No. GE-2944-03-560 granting the request of Kings, Inc. to operate an 878,000-bushel grain warehouse at Wimbledon, North Dakota, effective October 2, 2003.

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

Case No. GE-2636-03-515
Bentley Equity Exchange
License No. 285 - Bentley, ND
Suspension / Revocation
Reinstate License

Mr. Clark: I move the Commission issue an order in Case No. GE-2636-03-515 reinstating warehouse license 285 of Bentley Equity Exchange at Bentley, North Dakota, effective October 6, 2003. A replacement bond has been filed.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-2246-03-291
North Central Elevator, Inc.
Munich, North Dakota
Insolvency
Asset Distribution

Mr. Clark: I move the Commission recommend to the Court that the assets available in this case be distributed among the twenty four (24) claimants based upon their valid cash sale balance claims and that payments be forwarded to these claimants as soon as possible.

I further move that the Commission request that the Court require Capitol Indemnity Corporation, 4610 University Avenue, PO Box 5900, Madison, Wisconsin 53705, to deposit bond proceeds in this proceeding.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2805-03-532
Otter Tail Corporation
October 2003
Fuel Cost Adjustment

Mrs. Wefald: I move the Commission approve Case No. PU-2805-03-532, Otter Tail Corporation's Electric Fuel Cost Adjustment for October 2003.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-399-03-545
Montana-Dakota Utilities Co., a
Division of MDU Resources Group, Inc
October 2003
Fuel Cost Adjustment

Mrs. Wefald: I move the Commission approve Montana-Dakota Utilities Co.'s fuel cost adjustment for October 2003, Case No. PU-399-03-545.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-400-03-554
Northern States Power Company
October 2003
Fuel Cost Adjustment

Mrs. Wefald: I move the Commission approve Northern States Power Company's fuel cost adjustment for October 2003, Case No. PU-400-03-554.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-2842-03-115
Buechler/Garrison Phase II
2003-2006 AML Construction
Project
Close Contract

Mr. Cramer: I move the Commission close out Contract No. AM-457-03 with Material Testing Services, LLC, PO Box 634, Minot, North Dakota 58702 for material testing services at the Buechler/Garrison Phase II abandoned mine land site in Ward and McLean Counties.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-2843-03-116
Columbus Phase V
2003-2006 AML Construction
Project
Close Contract

Mr. Cramer: I move the Commission close Contract No. AM-458-03 with Quality Construction, Inc., PO Box 287, Sawyer, North Dakota 58781 for construction services at the Columbus Phase V abandoned mine land site in Burke County.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-2940-03-551
Belfield Phase I
2004-2007 AML Design
Project
Abstract Services

Mr. Cramer: I recommend the Commission authorize procurement of abstract services from Billings County Abstract Company, P.O. Box 187, Medora, North Dakota for title memoranda showing the current legal and equitable ownership interest, and date and manner ownership interest was acquired for Belfield Phase 1 in Billings County using sole-source procurement methods.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-2940-03-551
Belfield Phase I
2004-2007 AML Design
Project
Abstract Services

Mr. Cramer: I recommend the Commission authorize procurement of abstract services for title memoranda showing the current legal and equitable ownership interest, and date and manner ownership interest was acquired for Belfield Phase 1 in Stark County using competitive bidding procurement methods with solicitations to qualified bidders.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-2941-03-552
Snake Road Phase I
2004-2007 AML Design
Project

Mr. Cramer: I move the Commission authorize public meetings in Billings, Stark and Ward Counties to discuss planned reclamation projects in 2004 and solicit input on abandoned mine land sites of concern. Formal advertising, public service announcements, and letters to county officials and landowners will be used to inform the public.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-2940-03-551
Belfield Phase I
2004-2007 AML Design
Project
Public Meetings

Mr. Cramer: I move the Commission approve Northern States Power Company's cost of gas adjustment for October 2003, Case No. PU-400-03-562.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-400-03-562
Northern States Power Company
October 2003
Purchased Gas Adjustment

Case No. PU-2342-03-362
Qwest Corporation
Section 272 Biennial Audit
Investigation
Valuation Billing

Mr. Cramer: I move the Commission bill Qwest Corporation for costs incurred to date in Case No. PU-2342-03-362, Qwest Corporation, Section 272 Biennial Audit, Investigation.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

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

Mr. Cramer: I move the Commission bill Qwest Corporation, US Link, Inc., VAL-ED Joint Venture, LLP d/b/a 702 Communications, McLeodUSA Telecommunications, Inc. and IdeaOne Telecommunications, Inc. for costs incurred to date in Case No. PU-2342-01-296, Qwest Corporation, Interconnection/Wholesale Price, Investigation.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-399-03-296
Montana-Dakota Utilities Co., a
Division of MDU Resources Group, Inc
Electric Rate Increase
Application
Valuation Billing

Mr. Cramer: I move the Commission bill Montana-Dakota Utilities Co. for costs incurred to date in Case No. PU-399-03-296, Montana-Dakota Utilities Co., Electric Rate Increase, Application.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. RR-439-03-271
Public Service Commission
Rail Rates on Grain
Investigation
Contract

Mr. Clark: I move that the Commission enter into a contract with North Dakota State University/Upper Great Plains Transportation Institute for work associated with the rail rate investigation authorized by the 2003 Legislature.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-2940-03-551
Belfield Phase I
2004-2007 AML Design
Project
Cost Consultant

Mr. Clark: I move that the Commission solicit proposals from costing consultants for work associated with the rail rate investigation authorized by the 2003 Legislature.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 11:45 A.M.

Executive Secretary

TONY T. CLARK, PRESIDENT