

December 31, 2003

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on December 31, 2003, 10:00 a.m. Present were Commissioners Clark, Wefald, and Cramer.

Minutes

Mrs. Wefald: I move the minutes of December 18, 2003, be approved.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Bills

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

Assoc of American Warehouse Control Off.	100.00
ASAP Software	4,902.11
Snavely King Majoros O'Connor & Lee, Inc.	3,997.66
BNC Insurance, Inc.	75.00
Bruce A. Johnson	15.49
Richard Fillbrandt	145.68
Phyllis G. Richter	142.60
Anthony T. Clark	250.45
Leo D. Praus	323.40
JP Robbins	280.16
Lou Ogaard	20.00
Cellular One	207.98
Stephan A. Schroeder	43.00
Guy Welch	6.00
Illona Jeffcoat-Sacco	116.70
Kevin Cramer	142.04
William E. Dodd	97.70

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2973-03-691
Communications Network Billing, Inc.
Long Distance Reseller
Application

Mrs. Wefald: I move the Commission issue a Certificate of Registration to Communications Network Billing, Inc. to resell interexchange telecommunications services in North Dakota, Case No. PU-2973-03-691.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2980-03-703
Computer Network Technology Corporation
Long Distance/Local Exchange Reseller
Application

Mrs. Wefald: I move the Commission issue Certificates of Registration to Computer Network Technology Corporation to resell interexchange and local exchange telecommunications services in North Dakota, Case No. PU-2980-03-703.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2981-03-706
TCPB Marketing Company, Ltd.
Long Distance Reseller
Application

Mrs. Wefald: I move the Commission issue a Certificate of Registration to TCPB Marketing Company, Ltd. to resell interexchange telecommunications services in North Dakota, Case No. PU-2981-03-706.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2983-03-708
BroadWing Telecommunications, Inc.
Name Change
Application

Mrs. Wefald: I move the Commission reissue Certificate of Registration No. 173 to Cincinnati Bell Any Distance Inc., Case No. PU-2983-03-708.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2984-03-710
France Telecom Corporate Solutions
L.L.C.
Long Distance/Local Exchange
Reseller
Application

Mrs. Wefald: I move the Commission issue Certificates of Registration to France Telecom Corporate Solutions L.L.C. to resell interexchange and local exchange telecommunications services in North Dakota, Case No. PU-2984-03-710.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-439-02-99
Reclamation
Rulemaking

Mrs. Wefald: Having received a favorable Attorney General's opinion and approval from the federal Office of Surface Mining, I move the Commission adopt amendments to North Dakota Administrative Code Article 69-05.2 proposed in Case No. RC-439-02-99 pertaining to surface coal mining and reclamation operations.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-439-02-637
Reclamation
Rulemaking

Mrs. Wefald: Having received a favorable Attorney General's opinion and tentative approval from the federal Office of Surface Mining, I move the Commission adopt amendments to North Dakota Administrative Code Article 69-05.2 proposed in Case No. RC-439-02-637 pertaining to surface coal mining and reclamation operations.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-705-03-687
Falkirk Mining Company
Reclamation Extension 22, Permit 40
Approval

Mrs. Wefald: I move the Commission approve Reclamation Extension No. 22 for Surface Coal Mining Permit No. 40, held by the Falkirk Mining Company, to extend the reclamation period on 24.52 acres of reclaimed land at the Falkirk Mine until December 31, 2004.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-640-03-696
Basin Cooperative Services
Extensions 22 and 23, Permit 19A
Approval

Mrs. Wefald: I move the Commission approve Reclamation Period Extension No. 23 for Site No. 1 and Extension No. 22 for Site No. 2 within Surface Coal Mining Permit 19A held by Basin Cooperative Services. These extensions will allow Basin Cooperative Services to continue to manage 179.78 acres of reclaimed land at the Glenharold Mine until January 1, 2005.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-896-03-714
Troy Kinn - Auctioneer
License Application

Mrs. Wefald: I move the Commission approve the auctioneer license application for Troy Kinn, Arthur, North Dakota.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2948-03-577
Granite Telecommunications, LLC
Local Exchange
Public Convenience & Necessity
Denying Trade Secret

Mr. Clark: I move the Commission adopt the Order Denying Trade Secret Protection for certain financial information filed by Granite Telecommunications, LLC in support of its application for a certificate of public convenience and necessity to provide facilities based competitive local exchange telecommunication services in North Dakota, Case No. PU-2948-03-577.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2746-03-585
VAL-ED Joint Venture, L.L.P./Qwest
Corporation
Interconnection Agreement
Amendment
Application

Mr. Clark: I move the Commission adopt the Order approving the captioned applications for approval of interconnection agreements.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2746-03-586
VAL-ED Joint Venture, L.L.P./Qwest
Corporation
Interconnection Agreement
Amendment
Application

Case No. GE-587-03-718
Sundance Farm Distributing - Roving
Grain Buyer
Suspension/Revocation
Notice of Opportunity for Hearing

Mr. Clark: I move the Commission issue an order in Case No. GE-587-03-718 suspending roving grain buyer license number 3015 of Sundance Farm Distributing, Inc., Hankinson, North Dakota, for lack of an adequate bond filing and issue a Notice of Opportunity for Hearing on the matter.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2805-03-698
Otter Tail Corporation
January 2004
Fuel Cost Adjustment

Mrs. Wefald: I move the Commission approve Case No. PU-2805-03-698, Otter Tail Corporation's Electric Fuel Cost Adjustment for January 2004.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-400-03-711
Northern States Power Company
January 2004
Fuel Cost Adjustment

Mrs. Wefald: I move the Commission approve Northern States Power Company's fuel cost adjustment for January 2004, Case No. PU-400-03-711.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-399-03-712
Montana-Dakota Utilities Co., a
Division of MDU Resources Group, Inc
January 2004
Fuel Cost Adjustment

Mrs. Wefald: I move the Commission approve Montana-Dakota Utilities Co.'s fuel cost adjustment for January 2004, Case No. PU-399-03-712.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-399-03-692
Montana-Dakota Utilities Co., a
Division of MDU Resources Group, Inc
January 2004
Purchased Gas Adj. Natural Gas

Mr. Cramer: I move the Commission approve Montana-Dakota Utilities Co.'s Natural Gas Purchased Gas Adjustment for January 2004, Case No. PU-399-03-692.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-399-03-693
Montana-Dakota Utilities Co., a
Division of MDU Resources Group, Inc
January 2004
Purchased Gas Adjust. Propane

Mr. Cramer: I move the Commission approve Montana-Dakota Utilities Co.'s propane purchased gas adjustment for January 2004, Case No. PU-399-03-693.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-402-03-702
Great Plains Natural Gas Co.
December 2003
Purchased Gas Adjustment

Mr. Cramer: I move the Commission approve Great Plains Natural Gas Co.'s purchased gas adjustment for December 2003, Case No. PU-402-03-702.

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

Mr. Cramer: I move that the Commission close Contract No. AM-461-03 with Shawn Weishaar d/b/a Weishaar Appraisal Services, Lemmon, South Dakota for pre- and post-reclamation appraisals of the Buechler/Garrison Phase II and Columbus Phase V abandoned mine land sites in Ward, McLean and Burke Counties, respectively.

Mrs. Wefald: 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 Contracts

Case No. AM-2919-03-510
AML Coal Fire Suppression
Grant
Application
Close Contract

Mr. Cramer: I move the Commission close Contract No. AM-473-03 with Hanson's Excavating, Inc., Des Lacs, North Dakota for construction services to address coal outcrop fires in McKenzie County.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Response Letter to the
Office of Pipeline Safety

Mr. Cramer: I move the Commission approve the response letter to the Office of Pipeline Safety regarding the 2003 pipeline safety program evaluation.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-439-03-295
Public Service Commission
Local Competition
Investigation

Mr. Cramer: I move the Commission extend by ten days, to January 15, 2004, the time for responding to the first set of discovery questions in Case No. PU-439-03-295, Public Service Commission, Local Competition Investigation.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 11:35 A.M.

Executive Secretary

TONY T. CLARK, PRESIDENT