

February 12, 2004

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on February 12, 2004, 10:00 a.m. Present were Commissioners Clark, Wefald, and Cramer.

Minutes

Mr. Cramer: I move the minutes of January 28, 2004, be approved.

Mr. Clark: 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:

Charlene Magstadt, Qwest ROC	130.00
Gateway	1052.00
FedEx	11.30
JP Robbins	402.75
Susan Richter	202.12
William W. Binek	144.03
Guy Welch	18.00
Bill Eide	432.05
David Bickel	12.00
Larry Larson	18.00
Bruce A. Johnson	6.00
Stephan A. Schroeder	18.00
Richard Fillbrandt	299.05
Bruce E. Beechie	12.00
Wayne Grangaard	62.67
Timothy A. Erdmann	854.10
Phyllis G. Richter	583.62
Leo D. Praus	244.22
Jensen Travel	1213.40
National Association of AML Programs	200.00
NDSU, Restricted Fund Accounting	3,327.10
Thompson Hine	4,615.92
Central Services – 12/03 supply charges	140.88
Facilities Management – 1/04 postage	993.22
ITD – 1/04 microfilm	42.00
Elan	4,319.31
Office of Administrative Hearing	18.19
Facilities Management–12/03 UPS charges	28.87
Central Services – printing	651.36
Central Services – 1/04 supplies	132.56
DOT	24.85
ITD – 1/04 billing	1,861.59
ITD – 1/04 phone charges	1,419.38

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2999-04-31  
Lightyear Network Solutions, LLC  
Long Distance Reseller  
Application

Mr. Cramer: I move the Commission issue a Certificate of Registration to Lightyear Network Solutions, LLC to resell interexchange telecommunications services in North Dakota, Case No. PU-04-31.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-46  
Telcom Billing Services, Inc.  
Long Distance/Local Exchange  
Reseller  
Application

Mr. Cramer: I move the Commission issue a Certificate of Registration to Telcom Billing Services, Inc. to resell interexchange and local exchange telecommunications services in North Dakota, Case No. PU-04-46.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-157-02-15  
Wimbledon Grain Company  
Wimbledon, ND  
Insolvency

Mr. Cramer: I move the Commission acknowledge filing of the Supplemental Report and Recommendation to the Court that the assets in this case be distributed on a prorated basis among the forty-five (45) credit-sale claimants based upon their valid claims.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-04-49  
David D. Miller - Auctioneer  
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for David D. Miller, Foreston, Minnesota.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

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

Mr. Clark: I move the Commission adopt the Order and issue a certificate of public convenience and necessity authorizing Granite Telecommunications, LLC 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-2342-03-632  
Qwest Corporation  
Performance Assurance Plan  
Approval

Mr. Clark: I move the Commission adopt the Order in Qwest Corporation's Performance Assurance Plan, Case No. PU-2342-03-632.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2077-03-636  
WWC Holding Co., Inc.  
Designated Eligible Carrier  
Application

Mr. Clark: I move the Commission adopt the Order in WWC Holding Co., Inc.'s application for eligible carrier designation, Case No. PU-2077-03-636.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-587-03-718  
Sundance Farm Distributing - Roving  
Grain Buyer  
Suspension/Revocation

Mr. Clark: I move the Commission issue an order in Case No. GE-587-03-718 revoking roving grain buyer license number 3015 of Sundance Farm Distributing, Inc., Hankinson, North Dakota, effective January 30, 2004, for failure to maintain adequate bond filing.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Offer of Employment  
Executive Secretary

Mr. Clark: I move that the Commission's minutes record that the Commission extended an offer of employment to Ilona Jeffcoat-Sacco to serve as the executive secretary (Position No. 408-1301) starting March 1, 2004, and that Ms. Jeffcoat-Sacco has accepted the offer.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2805-04-23  
Otter Tail Corporation  
February 2004  
Fuel Cost Adjustment

Mrs. Wefald: I move the Commission approve Case No. PU-2805-04-23, Otter Tail Corporation's Electric Fuel Cost Adjustment for February 2004.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-400-04-30  
Northern States Power Company  
February 2004  
Fuel Cost Adjustment

Mrs. Wefald: I move the Commission approve Northern States Power Company's fuel cost adjustment for February 2004, Case No. PU-400-04-30.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-399-04-33  
Montana-Dakota Utilities Co., a  
Division of MDU Resources Group, Inc  
February 2004  
Fuel Cost Adjustment

Mrs. Wefald: I move the Commission approve Montana-Dakota Utilities Co.'s fuel cost adjustment for February 2004, Case No. PU-399-04-33.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

2004 Excellence in Surface Coal  
Mining Reclamation Awards  
Office of Surface Mining

Mrs. Wefald: I move the Commission forward nominations from the Coteau Properties Company to the federal Office of Surface Mining for consideration for the 2004 Excellence in Surface Coal Mining Reclamation Awards.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-41  
Northern States Power Company  
February 2004  
Purchased Gas Adjustment

Mr. Cramer: I move the Commission approve Northern States Power Company's cost of gas adjustment for February 2004, Case No. PU-04-41.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Noonan  
Tree and Shrub Planting  
Procurement

Mr. Cramer: I move the Commission authorize procurement of tree and shrub planting services at the Noonan abandoned mine land site in Divide County using sole source procurement methods.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Policy Revisions

Mr. Cramer: I move that the Commission adopt revisions to its policies on travel, (1-07-82), leave sharing (3-02-94), education (3-05-95), and salary administration (3-06-79).

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2915-03-490  
Alticomm, Inc./Qwest Corporation  
Interconnection Agreement  
Application

Mrs. Wefald: I move the Commission bill Alticomm, Inc. and Qwest Corporation for costs incurred to date in Case No. PU-2915-03-490, Alticomm, Inc./Qwest Corporation, Interconnection Agreement, Application.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2921-03-512  
DIECA Communications, Inc./Qwest  
Corporation  
Interconnection Agreement  
Application

Mrs. Wefald: I move the Commission bill DIECA Communications, Inc. and Qwest Corporation for costs incurred to date in Case No. PU-2921-03-512, DIECA Communications, Inc./Qwest Corporation, Interconnection Agreement, Application.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2271-03-529  
Sprint Communications Co./Qwest  
Corporation  
Interconnection Agreement  
Amendment  
Application

Mrs. Wefald: I move the Commission bill Sprint Communications Company L.P. and Qwest Corporation for costs incurred to date in Case No. PU-2271-03-529, Sprint Communications Company L.P./Qwest Corporation, Interconnection Agreement Amendment, Application.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2928-03-530  
Onvoy, Inc./Qwest Corporation  
Interconnection Agreement  
Application

Mrs. Wefald: I move the Commission bill Onvoy, Inc. and Qwest Corporation for costs incurred to date in Case No. PU-2928-03-530, Onvoy, Inc./Qwest Corporation, Interconnection Agreement, Application.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2930-03-538  
Cellco Partnership/Consolidated  
Communications Networks, Inc.  
Interconnection Agreement  
Application

Mrs. Wefald: I move the Commission bill Cellco Partnership and Consolidated Communications Networks, Inc. for costs incurred to date in Case No. PU-2930-03-538, Cellco Partnership/Consolidated Communications Networks, Inc., Interconnection Agreement, Application.

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

Mrs. Wefald: I move the Commission bill Granite Telecommunications, LLC for costs incurred to date in Case No. PU-2948-03-577, Granite Telecommunications, LLC, Local Exchange, Public Convenience & Necessity.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2957-03-624  
XO Network Services, Inc.  
Local Exchange  
Public Convenience & Necessity

Mrs. Wefald: I move the Commission bill XO Network Services, Inc. for costs incurred to date in Case No. PU-2957-03-624, XO Network Services, Inc., Local Exchange, Public Convenience & Necessity.

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

Mrs. Wefald: 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."

ATTEST

THE COMMISSION ADJOURNED AT 11:10 A.M.

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Executive Secretary

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TONY T. CLARK, PRESIDENT