

November 18, 2004

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on November 18, 2004, 10:00 a.m. Present were Commissioners Clark, Wefald, and Cramer.

Minutes

Mr. Cramer: I move the minutes of November 3, 4, and 12, 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:

OMB – Central Supply	305.66
OMB – Central Duplicating	66.98
OMB – postage	749.10
Elan	9,742.92
Hewlett-Packard Company	2,152.00
Thiem Drilling, Inc.	36,476.19
ND Newspaper Association	1,656.00
SDF Professional Computer, Inc.	8,844.00
SD Public Utilities Commission	200.00
Kevin Cramer	1,259.71

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-577  
WorldxChange Corp.  
Name Change  
Application

Mr. Cramer: I move the Commission reissue Certificate of Registration No. 749 to Acceris Communications Corp., Case No. PU-04-577.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-580  
Airespring, Inc.  
Long Distance Reseller  
Application

Mr. Cramer: I move the Commission issue a Certificate of Registration to Airespring, Inc. to resell interexchange telecommunications services in North Dakota, Case No. PU-04-580.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-589  
Accessline Communications  
Corporation  
Long Distance Reseller  
Application

Mr. Cramer: I move the Commission issue a Certificate of Registration to Accessline Communications Corporation to resell interexchange telecommunications services in North Dakota, Case No. PU-04-589.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-535  
Otter Tail Corporation  
Vern Kepler, Wheatland, ND  
Public Convenience & Necessity

Mr. Cramer: I move the Commission adopt the Order issuing a Certificate of Public Convenience and Necessity authorizing Otter Tail Corporation to extend electric service to Vern Kepler for a residential site near Wheatland, North Dakota, Case No. PU-04-535.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-536  
Otter Tail Corporation  
Keith Veil, Jamestown, ND  
Public Convenience & Necessity

Mr. Cramer: I move the Commission adopt the Order issuing a Certificate of Public Convenience and Necessity authorizing Otter Tail Corporation to extend electric service to Keith Veil for a residential site near Jamestown, North Dakota, Case No. PU-04-536.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-541  
Montana-Dakota Utilities Co., a  
Division of MDU  
Myron Schroeder, Williston, 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 Myron Schroeder for a welding shop site near Williston, North Dakota, Case No. PU-04-541.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-542  
Montana-Dakota Utilities Co., a  
Division of MDU  
Monte Roshau, Killdeer, 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 Monte Roshau for a water well site near Killdeer, North Dakota, Case No. PU-04-542.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-04-592  
v. Troy Kinn - Auctioneer  
Complaint

Mr. Cramer: I move the Commission find the Complaint states a prima facie case, in Case No. AU-04-592, Public Service Commission vs. Troy Kinn, Auctioneer, Complaint; and serve the complaint on Respondent, Troy Kinn.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-04-593  
Glenn H. Gray - Auctioneer  
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Gray H. Glenn, Minot, North Dakota.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Blaster Recertification  
Approval

Mr. Cramer: I move the Commission approve the blaster certification and recertification of the following applicants:

<u>Applicant</u>	<u>Company</u>	<u>Certificate No.</u>
Melanie Denise Hintz	Coteau	01-10-258-R(1)
Certification		
Kevin N. Collins	Coteau	04-11-272
Clyde G. Pryce	Coteau	04-11-272
Curtis McLaughlin	Coteau	04-11-274

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-04-596  
Russell D. Pederson - Auctioneer  
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Russell D. Pederson, Circle, Montana.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-04-531  
Kenneth Smykowski  
Complaint

Mr. Cramer: I move the Commission approve the Default Order in Case No. AU-04-531, Public Service Commission v. Kenneth J. Smykowski, Auctioneer Complaint.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-578  
Northern States Power Company  
Natural Gas Rate Increase  
Application  
Suspend Rates

Mr. Cramer: I move the Commission suspend Northern States Power Company's rates filed with its Natural Gas Rate Increase application in Case No. PU-04-578.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-423  
New Access Communications LLC  
Local Exchange  
Public Convenience & Necessity

Mr. Clark: I move the Commission adopt the Order approving the application of New Access Communications LLC for certificates of public convenience and necessity to provide telecommunication services in North Dakota.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-454  
XO Communications Services, Inc.  
Local Exchange  
Public Convenience & Necessity

Mr. Clark: I move the Commission adopt the Order granting the application of XO Communications Services, Inc. for a certificate of public convenience and necessity to provide telecommunication services in North Dakota.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-465  
VCI Company  
Local Exchange/Interexchange  
Public Convenience & Necessity

Mr. Clark: I move the Commission adopt the Order granting the captioned application of VCI Company for certificates of public convenience and necessity to provide telecommunication services in North Dakota.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-572  
Northstar Telecom, Inc./Qwest  
Corporation  
Master Services Agreement  
Service Agreement(s)

Mr. Clark: I move the Commission issue a Notice of Opportunity for Hearing in the captioned applications for approval of service agreements.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-576  
Z-Tel Communications, Inc./Qwest  
Corporation  
Master Services Agreement  
Service Agreement(s)  
Notice of Opportunity

Case No. GE-04-441  
Fairview Bean & Seed Co., Inc.  
License No. 949 - East Fairview, ND  
Discontinue Business

Mr. Clark: I move the Commission issue an order in Case No. GE-04-441 granting the request of Fairview Bean and Seed Company, Inc. to discontinue business at East Fairview, North Dakota, effective November 10, 2004.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-04-442  
Specialty Export Productions, Inc.  
Grain Warehouse - East Fairview, ND  
License Application

Mr. Clark: I move the Commission issue an order in Case No. GE-04-442 granting the request of Specialty Export Productions, Inc., Greenfield, Tennessee, to operate a 250,000-bushel grain warehouse at East Fairview, North Dakota, effective November 10, 2004.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-04-591  
St. Hilaire Seed Company, Inc.  
Change in Work Hours - Garske, ND  
Approval  
Work Hours Change

Mr. Clark: I move the Commission issue an order in Case No. GE-04-591 granting the request of St. Hilaire Seed Company, Inc. to modify its work hours at its bean warehouse in Garske, North Dakota, on a permanent basis. The facility will be open full time during harvest and by appointment only for the remainder of the year.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-578  
Northern States Power Company  
Natural Gas Rate Increase  
Application  
Request for Proposal

Mr. Cramer: I move the Commission issue a Request for Proposal for consulting services in Northern States Power Company's Natural Gas Rate Increase application, Case No. PU-04-578.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-579  
Northern States Power Company  
November 2004  
Cost of Gas Adjustment

Mr. Cramer: I move the Commission approve Northern States Power Company's cost of gas adjustment for November 2004, Case No. PU-04-579.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-586  
Great Plains Natural Gas Co.  
November 2004  
Cost of Gas Adjustment

Mr. Cramer: I move the Commission approve Great Plains Natural Gas Co.'s Cost of Gas adjustment for November 2004, Case No. PU-04-586.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-2938-03-549  
Garrison Phase III  
2004-2007 AML Construction Project  
Modify

Mr. Cramer: I move the Commission modify Contract Number AM-486-04 to extend the performance period to June 30, 2005 for construction services at the Garrison Phase III abandoned mine land sites in McLean County.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-04-156  
Garrison Phase III  
Material Testing Services Contract  
Modify

Mr. Cramer: I move the Commission modify Contract Number AM-484-04 to change the performance period to May 1, 2004 to June 30, 2005 for material testing services at the Garrison Phase III abandoned mine land site in McLean County.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Alternate Disaster Site Location  
Memorandum of Agreement

Mrs. Wefald: I move the Commission sign a memorandum of agreement with the Land Department as the alternate site location in the event of disaster which will be equipped with computer access, phone, fax, and copier service.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-578  
Northern States Power Company  
Natural Gas Rate Increase  
Application  
Staff Appointments

Mr. Cramer: I move the Commission appoint Bill Binek, Mike Diller, and Jerry Lein as advocacy staff, and Illona Jeffcoat-Sacco, Patrick Fahn and Annette Bendish as advisory staff in Northern States Power Company's Natural Gas Rate Increase application in Case No. PU-04-578.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 11:45 A.M.

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Executive Secretary

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TONY T. CLARK, PRESIDENT