

December 30, 2004

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on December 30, 2004, 10:00 a.m. Present were Commissioners Clark, Wefald, and Cramer.

Minutes

Mr. Cramer: I move the minutes of December 15 and 16, 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:

AAWCO	200.00
Great Capital Lunchroom	14.00
ND Newspaper Association	1,078.41
Leo D. Praus	550.19
Anthony T. Clark	55.90
Susan Richter	405.40
Douglas County Sheriff	25.00
Cellular One – December billing	223.72
Nirander M. Safaya	12.00
Cellular One – October roaming charges	32.25
Cellular One – November billing	259.71
JP Robbins	291.25
Thiem Drilling	4,518.10
Material Testing Services, Inc.	9,001.25
Rick Fillbrandt	405.40
FRS Industries	2,310.00
ITD – 11/04 Data processing	1,910.69
Office of Administrative Hearings	2,027.96
DOT – 11/04 billing	16,075.11
OMB – 11/04 ups	33.49

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

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

Mr. Cramer: I move the Commission approve Qwest Corporation's filing, Case No. PU-2342-01-296 and Case No. PU-04-581 of a 6th Revision 4th Amended Exhibit A to the North Dakota Statement of Generally Available Terms and Conditions, filed in compliance with the Commission's October 8, 2004, order that will take effect 60 days after the date the final version of the Exhibit A filing was submitted to the Commission, conditioned upon Qwest filing a version of the Minnesota UNE descriptions adapted to the UNEs available in North Dakota within 30 days after the final version of the Exhibit A filing.

Case No. PU-04-581
Qwest Corporation
Statement of Generally Available
Terms - Exhibit A
Revision

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-647
Southwestern Bell Communications
Services, Inc.
Name Change
Application

Mr. Cramer: I move the Commission reissue Certificate of Registration Nos. 457 and 960, and Certificate of Public Convenience and Necessity No. 5127 to SBC Long Distance, Inc., Case No. PU-04-647.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-654
DELTEL, INC.
Long Distance Reseller
Application

Mr. Cramer: I move the Commission issue a Certificate of Registration to DELTEL, INC. to resell interexchange telecommunications services in North Dakota, Case No. PU-04-654.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-661
Z-Tel Communications, Inc.
Name Change
Application

Mr. Cramer: I move the Commission reissue Certificate of Registration Nos. 620 and 621, and Certificate of Public Convenience and Necessity No. 4679 to Trinsic Communications, Inc., Case No. PU-04-661.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

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

Mr. Cramer: I move the Commission issue an Order Granting Staff's Request to Withdraw Complaint and Close Case No. AU-04-592, Public Service Commission v. Troy Kinn, Auctioneer Complaint.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-04-642
BNI Coal, Ltd
Reclamation Extension 26, Tract 1,
Permit 24
Approval

Mr. Cramer: I move the Commission approve Reclamation Period Extension No. 26 for Tract 1 within Surface Coal Mining Permit No. 24, held by BNI Coal, Ltd., to extend the reclamation period on 27.3 acres at the Center Mine until December 31, 2005.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-04-655
Falkirk Mining Company
Reclamation Extension 23, Permit 40
Approval

Mr. Cramer: I move the Commission approve Reclamation Extension No. 23 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, 2005.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Blaster Recertification
Approval

Mr. Cramer: I move the Commission approve the blaster recertification of the following applicant:

Recertification

<u>Applicant</u>	<u>Affiliation</u>	<u>Certificate No.</u>
Darcy Kramlich	BC Fry Company	94-11-224-R(3)

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-560
Montana-Dakota Utilities Co., a
Division of MDU
Corey Botner - Bismarck, ND
Public Convenience & Necessity
Notice of Hearing

Mrs. Wefald: I move the Commission issue a Notice of Hearing in Montana-Dakota Utilities Co.'s application for a Certificate of Public Convenience and Necessity to extend electric service to Corey Botner for a residential site near Bismarck, North Dakota, Case No. PU-04-560.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-04-601
Falkirk Mining Company
Revision No. 10, Permit NAFK-9601
Approval

Mrs. Wefald: I move that the Commission approve Revision No. 10 to Surface Coal Mining Permit No. NAFK-9601, held by the Falkirk Mining Company, to delete 160.27 acres from the permit area that were not disturbed by mining and reclamation activities.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-630
Northern States Power Company
December 2004
Cost of Gas Adjustment

Mr. Cramer: I move the Commission approve Northern States Power Company's cost of gas adjustment for December 2004, Case No. PU-04-630.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-639
Great Plains Natural Gas Co.
December 2004
Cost of Gas Adjustment

Mr. Cramer: I move the Commission approve Great Plains Natural Gas Co.'s Cost of Gas adjustment for December 2004, Case No. PU-04-639.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-646
Montana-Dakota Utilities Co., a
Division of MDU
January 2005
Cost of Gas Adj./Natural Gas

Mr. Cramer: I move the Commission approve Montana-Dakota Utilities Co.'s Natural Gas Cost of Gas Adjustment for January 2005, Case No. PU-04-646.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

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

Mr. Cramer: I move the Commission close out Contract No. AM-484-04 with Material Testing Services, LLC, PO Box 634, Minot, North Dakota 58702 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."

Case No. AM-04-582
Public Service Commission - AML
Division
2005-2008 ND Reclamation Simplified
Grant
Application

Mr. Cramer: I move the Commission submit the 2005 - 2008 North Dakota Abandoned Mine Lands Reclamation Simplified Grant Application to the Office of Surface Mining requesting \$1,620,156 in federal funds to administer the abandoned mine lands program.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. GS-04-614
North Dakota One-Call
CY2005 - R07906
Application

Mr. Cramer: I move the North Dakota Public Service Commission submit the calendar year 2005 North Dakota One-Call Grant Application in the amount of \$75,000.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 11:25 A.M.

Executive Secretary

TONY T. CLARK, PRESIDENT