

June 9, 2004

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on June 9, 2004, 10:00 a.m. Present were Commissioners Clark, Wefald, and Cramer.

Minutes

Mr. Cramer: I move the minutes of May 26 and June 4, 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:

FedEx	17.41
University of North Dakota	1,971.15
North Dakota State University	9,253.40
SWCS	265.00
Larry L. Larson	43.55
Phyllis G. Richter	425.72
Richard Fillbrandt	327.43
Larry Reisenauer	267.57
Timothy A. Erdmann	576.96
Bruce Beechie	24.00
Mark Knell	117.45
William E. Dodd	52.59
Bruce A. Johnson	18.00
Guy Welch	30.00
Stephan A. Schroeder	79.25
David Bickel	27.19
Alan Moch	305.98
Bill Eide	743.37
JP Robbins	656.54
Leo D. Praus	200.29
Kevin Hanson	534.28
Thiem Drilling, Inc.	9,948.87
Spherion Corporation	439.20
The Jamestown Sun	87.04
Kevin Cramer	564.39
DOT	11,402.77
Facilities Management – postage	775.63
OMB	15,177.00
ITD – phone charges	1,385.45
Facilities Management – ups	7.72
Industrial Commission	389.23
Office of Administrative Hearing	209.16

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-272
Qwest Corporation
Attorney Admission
Misc. Case

Mr. Cramer: I move that Melissa K. Thompson, a Colorado attorney, be given permission to appear before the Commission, and make filings on behalf of Qwest Corporation and its affiliates on an indefinite, forward-going bases; Case No. PU-04-272.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-204
Montana-Dakota Utilities Co., a
Division of MDU
Ballantyne Oil, Tolley, 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 Ballantyne Oil for an O. L. pump site near Tolley, North Dakota, Case No. PU-04-204.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-205
Montana-Dakota Utilities Co., a
Division of MDU
Renville Elevator Co., Tolley, 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 Renville Elevator Co. for a grain bin site near Tolley, North Dakota, Case No. PU-04-205.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-256
Montana-Dakota Utilities Co., a
Division of MDU
Cogeneration/Small Power Producer
Rates

Mr. Cramer: I move the Commission approve Montana-Dakota Utilities Co.'s Cogeneration/Small Power Producer rates, Case No. PU-04-256.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Policy Memorandums 20 and 22
to Mine Operators

Mr. Cramer: I move the Commission adopt Policy Memorandum No. 22 to Mine Operators pertaining to the re-permitting of bond release lands and changes to Policy Memorandum No. 20 relating to variances from the 10-year revegetation liability period.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-04-262
Bradley E. Knudson - Auctioneer
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Bradley E. Knudson, Bottineau, North Dakota.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-04-263
Knudson Auction & Clerking - Auction
Clerk
License Application

Mr. Cramer: I move the Commission approve the auction clerk license application for Bradley E. Knudson doing business as Knudson Auction & Clerking, Bottineau, North Dakota.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-83
Southwestern Bell Communications
Services, Inc.
Local Exchange
Public Convenience & Necessity

Mr. Clark: I move the Commission adopt the Order and issue a certificate of public convenience and necessity to Southwestern Bell Communications Services, Inc. to provide facilities based competitive local exchange telecommunication services in North Dakota, Case No. PU-04-83.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-237
Midcontinent Communications vs.
Polar Telecom, Inc./HTC Services, Inc.
Complaint

Mr. Clark: I move the Commission find the complaint states a prima facie case, and serve the complaint on Polar Telecom, Inc. and HTC Services, Inc.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-04-257
Prosper Farmers Co-operative Elevator
License No. 469 - Prosper, ND
Discontinue Business

Mr. Clark: I move the Commission issue an order in Case No. GE-04-257 granting the request of Prosper Farmers Co-operative Elevator to discontinue business at Prosper, North Dakota, effective June 1, 2004.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-04-258
Chaffee-Lynchburg Farmers Elevator
Durbin, ND
Discontinue Business

Mr. Clark: I move the Commission issue an order in Case No. GE-04-258 granting the request of Chaffee-Lynchburg Farmers Elevator to discontinue business at Chaffee, Lynchburg, and Leonard, North Dakota, effective June 1, 2004.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-04-259
AGP, Grain, Ltd.
License No. 873 - Casselton, ND
Discontinue Business

Mr. Clark: I move the Commission issue an order in Case No. GE-04-259 granting the request of AGP Grain, Ltd., Omaha, Nebraska, to discontinue business at Casselton, North Dakota, effective June 1, 2004.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-04-260
Maple River Grain & Agronomy, LLC
Grain Warehouse
Application

Mr. Clark: I move the Commission issue an order in Case No. GE-04-260 granting the request of Maple River Grain & Agronomy, LLC to operate a 1,125,000-bushel grain warehouse at Prosper, North Dakota, a 574,000-bushel grain warehouse at Casselton, North Dakota, a 358,000-bushel grain warehouse at Chaffee, North Dakota, a 700,000-bushel grain warehouse at Lynchburg, North Dakota, and a 1,072,000-bushel grain warehouse at Leonard, North Dakota, effective June 1, 2004.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-232
Otter Tail Corporation
June 2004
Fuel Cost Adjustment

Mrs. Wefald: I move the Commission approve Case No. PU-04-232, Otter Tail Corporation's Electric Fuel Cost Adjustment for June 2004.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-243
Montana-Dakota Utilities Co., a
Division of MDU
June 2004
Fuel Cost Adjustment

Mrs. Wefald: I move the Commission approve Montana-Dakota Utilities Co.'s fuel cost adjustment for June 2004, Case No. PU-04-243.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-244
Northern States Power Company
June 2004
Fuel Cost Adjustment

Mrs. Wefald: I move the Commission approve Northern States Power Company's fuel cost adjustment for June 2004, Case No. PU-04-244.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-758-03-516
Bellaire Corporation
Bond Release No. 6, Permit NAIH-
8306
Approval

Mrs. Wefald: I move the Commission approve Bond Release No. 6 to Surface Coal Mining Permit No. NAIH-8306, held by the Bellaire Corporation for the Indian Head Mine, to release all remaining reclamation liabilities on 457.78 acres of land located in portions of Sections 15, 21, and 22, T144N, R88W, Mercer County. The amount of the bond release is \$268,025 and it will become effective July 12, 2004, unless a formal hearing is requested.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-04-71
Falkirk Mining Company
Revision No. 26, Permit NAFK-8705
Approval

Mrs. Wefald: I move the Commission approve Revision No. 26 to Surface Coal Mining Permit No. NAFK-8705, held by the Falkirk Mining Company, to identify the next five-year coal removal subarea and to update the legal and ownership information, surface water management plans, and the mining and reclamation plans for the next five-year permit term.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-04-72
Falkirk Mining Company
Renewal No. 3, Permit NAFK-8705
Approval

Mrs. Wefald: I move the Commission approve Renewal No. 3 to Surface Coal Mining Permit No. NAFK-8705, held by the Falkirk Mining Company, to extend the permit term for another five years, until July 6, 2009.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-251
Northern States Power Company
June 2004
Cost of Gas Adjustment

Mr. Cramer: I move the Commission approve Northern States Power Company's cost of gas adjustment for June 2004, Case No. PU-04-251.

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