

September 8, 2004

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on September 8, 2004, 10:00 a.m. Present were Commissioners Clark, Wefald, and Cramer.

Minutes

Mr. Cramer: I move the minutes of August 18, 2004, 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:

Thompson Hine LLP	22,212.94
ND Newspaper Association	1,139.38
Cellular One	222.31
NARUC	850.00
Spherion	878.40
Alan Moch	284.46
David Bickel	12.00
Bruce A. Johnson	12.00
Larry L. Larson	12.00
Nirander M. Safaya	34.00
Stephan Schroeder	6.00
Guy Welch	28.00
Richard Fillbrandt	6.00
Kevin Hanson	625.64
Bruce Beechie	813.42
William E. Dodd	18.00
Mark Knell	99.45
Dean K. Moos	32.69
Susan E. Wefald	18.00
Timothy A. Erdmann	277.80
Bill Eide	547.07
Leo D. Praus	233.87
JP Robbins	609.40
Larry Reisenauer	79.27
Phyllis G. Richter	775.95
Anthony T. Clark	10.00
Kevin Cramer	137.18
Central Services--7/04 supplies	150.88
Central Services--7/04 printing chgs	120.61
ITD	2,347.08
Attorney General	71.74
Attorney General	1,227.39
OMB--Risk Management	5,372.00
DOT	13,732.30
ITD--7/04 phone chgs	1,362.55
Elan	1,633.90

Mrs. Wefald: I second the motion.  
Roll Call: All voting "Aye."

Case No. PU-04-434  
Startec Global Licensing Company  
Long Distance Reseller  
Application

Mr. Cramer: I move the Commission issue a Certificate of Registration to Startec Global Licensing Company to resell interexchange telecommunications services in North Dakota, Case No. PU-04-434.

Mrs. Wefald: I second the motion.  
Roll Call: All voting "Aye."

Case No. PU-04-437  
Primus Telecommunications, Inc.  
Personal Communications Service  
Application

Mr. Cramer: I move the Commission issue a Certificate of Registration to Primus Telecommunications, Inc. to provide personal communications services in North Dakota, Case No. PU-04-437.

Mrs. Wefald: I second the motion.  
Roll Call: All voting "Aye."

Case No. PU-04-59  
Otter Tail Corporation  
Payment Policy Amendment  
Tariff

Mr. Cramer: I move the Commission grant Otter Tail Corporation's request to withdraw tariff revisions filed to its Payment Policy rate schedule, Case No. PU-04-59.

Mrs. Wefald: I second the motion.  
Roll Call: All voting "Aye."

Case No. PU-04-347  
Otter Tail Corporation  
Wesley Bladow, Wahpeton, 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 Wesley Bladow for a residential site near Great Bend, North Dakota, Case No. PU-04-347.

Mrs. Wefald: I second the motion.  
Roll Call: All voting "Aye."

Case No. PU-04-354  
Montana-Dakota Utilities Co., a  
Division of MDU  
Stuart Hilfer, Mandan, 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 Stuart Hilfer for a residential site near Mandan, North Dakota, Case No. PU-04-354.

Mrs. Wefald: I second the motion.  
Roll Call: All voting "Aye."

Case No. PU-04-355  
Montana-Dakota Utilities Co., a  
Division of MDU  
Greg and Sherri Jahrus, Mandan, 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 Greg and Sherri Jahrus for a residential site near Mandan, North Dakota, Case No. PU-04-355.

Mrs. Wefald: I second the motion.  
Roll Call: All voting "Aye."

Case No. AU-04-439  
Travis R. Olson - Auctioneer  
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Travis R. Olson, Taylor, North Dakota.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-04-440  
Bennie Schmidt - Auction Clerk  
Cancellation

Mr. Cramer: I move the Commission issue an order in Case No. AU-04-440 cancelling auction clerk license Number 49 for Bennie Schmidt, Glen Ullin, North Dakota.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-04-458  
Roberta Kay Nusser - Auction Clerk  
License Application

Mr. Cramer: I move the Commission approve the auction clerk license application for Roberta Kay Nusser, Council Bluffs, Iowa.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-04-459  
Steven Joseph Starman - Auctioneer  
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Steven Joseph Starman, Papillion, Nebraska.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-04-460  
Timothy M. Schram - Auctioneer  
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Timothy M. Schram, Gretna, Nebraska.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-97  
Montana-Dakota Utilities Co., a  
Division of MDU  
Natural Gas Rate Increase  
Application  
Withdraw Trade Secret Application

Mr. Cramer: I move the Commission acknowledge Montana-Dakota Utilities Co.'s request to withdraw its request for hearing on its Application for Trade Secret, Case No. PU-04-97.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-04-391  
JM Grain, Inc.  
Grain Warehouse - Garrison, ND  
License Application

Mr. Clark: I move the Commission issue an order in Case No. GE-04-391 granting the request of JM Grain, Inc. to operate a 92,000-bushel grain warehouse at Garrison, North Dakota, effective August 31, 2004.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-04-443  
Superior Grain, Inc.  
Grain Warehouse - Crosby, ND  
License Application

Mr. Clark: I move the Commission issue an order in Case No. GE-04-443 granting the request of Superior Grain, Inc. to operate a 270,000-bushel grain warehouse at Williston, North Dakota, effective August 26, 2004.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-421  
Otter Tail Corporation  
September 2004  
Fuel Cost Adjustment

Mrs. Wefald: I move the Commission approve Case No. PU-04-421, Otter Tail Corporation's Electric Fuel Cost Adjustment for September 2004.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-432  
Northern States Power Company  
September 2004  
Fuel Cost Adjustment

Mrs. Wefald: I move the Commission approve Northern States Power Company's fuel cost adjustment for September 2004, Case No. PU-04-432.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-436  
Montana-Dakota Utilities Co., a  
Division of MDU  
September 2004  
Fuel Cost Adjustment

Mrs. Wefald: I move the Commission approve Montana-Dakota Utilities Co.'s fuel cost adjustment for September 2004, Case No. PU-04-436.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-04-435  
v. Jeremy J. Ferderer, Auction Clerk  
Complaint

Mrs. Wefald: I move the Commission find the Complaint states a prima facie case, in Case No. AU-04-435, Public Service Commission, Complainant, vs. Jeremy J. Ferderer, Auction Clerk, Respondent, and serve it on the respondent.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2961-03-634  
Shell Pipeline Company LP  
Transfer Permit and PC&N  
Application

Mr. Cramer: I move the Commission adopt the Order canceling Certificates of Public Convenience and Necessity held by Shell Pipeline Company LP, and transferring to Bridger Pipeline LLC the route permit associated with the Little Missouri Pipeline System, Case No. PU-2961-03-634.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-04-428  
AML Coal Fire Suppression  
2004 Grant  
Application

Mr. Cramer: I move the Commission submit a grant application to the Office of Surface Mining Reclamation and Enforcement to acquire federal funds to extinguish coal outcrop fires in McKenzie County, North Dakota.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-97  
Montana-Dakota Utilities Co., a  
Division of MDU Re  
Natural Gas Rate Increase  
Application  
Notice of Rescheduled Hearing

Mr. Cramer: I move the Commission issue a Notice Rescheduling the hearing in Montana-Dakota Utilities Co.'s Natural Gas Rate Increase application, Case No. PU-04-97.

Mrs. Wefald: 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