

October 20, 2004

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on October 20, 2004, 10:00 a.m. Present were Commissioners Clark, Wefald, and Cramer.

Minutes

Mr. Cramer: I move the minutes of October 8, 11, and 15, 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:

Orrin A. Holen Construction, Inc.	79,243.50
Snaveley King Majoros O'Connor & Lee, Inc.	5,137.50
Burleigh County Sheriff	10.00
ND Newspaper Association	484.90
Spherion Corporation	439.20
Central Services – supplies	287.99
ITD	2,267.56
Facilities Management – postage	943.60
Public Employees Retirement System	60.00
Central Services – printing charges	153.10
ITD – phone	1,366.34
Elan	5,786.29
DOT	14,731.53
OMB	10,730.66

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-468  
Otter Tail Corporation  
Curt Timm, Kensal, 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 Curt Timm for a grain bin site near Kensal, North Dakota, Case No. PU-04-468.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-04-485  
Otter Tail Corporation  
Dean Hoffmeyer, 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 Dean Hoffmeyer for a residential site near Wheatland, North Dakota, Case No. PU-04-485.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-04-531  
Kenneth Smykowski  
Complaint

Mr. Cramer: I move the Commission find the Complaint states a prima facie case, in Case No. AU-04-531, Public Service Commission vs. Kenneth J. Smykowski, Auctioneer, Complaint; and serve the complaint on Respondent, Kenneth J. Smykowski.

Mrs. Wefald: 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 applicants:

<u>Applicant</u>	<u>Affiliation</u>	<u>Certificate No.</u>
Stephen D. Duewal	Coteau	85-08-028-R(7)
David B. Klos	Coteau	85-08-032-R(7)
Delton Lawson	Coteau	85-08-037-R(7)
Paul T. Grossman	Coteau	87-03-121-R(6)
Rodney D. Long	Coteau	89-11-166-R(5)
Dwight J. Hatzenbuhler	Coteau	90-03-170-R(5)
Burton T. Roberson	Coteau	90-121-73-R(3)
Kerwin O. Lund	Coteau	92-11-197-R(4)
James P. Schmit	Coteau	92-11-198-R(4)
Jim Tognarelli	Coteau	92-11-199-R(4)
Vernon D. Mock	Coteau	92-11-200-R(4)
Michael A. Paetz	Coteau	92-11-201-R(4)
Daniel P. Misslin	Coteau	95-09-229-R(3)
Janet L. Filibeck	Coteau	01-10-255-R(1)
Jeffrey N. Hins	Coteau	01-10-256-R(1)
Andrew J. Hawbaker	Coteau	01-10-257-R(1)

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-04-543  
Erlin Schultz - Auctioneer  
License Application

Mr. Cramer: I move the Commission approve the Auctioneer license application for Erlin Schultz, Park Rapids, MN 56464.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2967-03-666  
BEK Communications Cooperative, et  
al.  
vs SmartNET, Inc.  
Complaint

Mr. Clark: I move the Commission adopt the Order in the BEK Communications Cooperative, et al vs. SmartNET, Inc. Complaint, Case No. PU-2967-03-666.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-04-495  
Earth Harvest Mills, Inc.  
Ex Parte Cease & Desist

Mr. Clark: I move the Commission issue a Notice of Hearing in Case No. GE-04-495, Public Service Commission, Earth Harvest Mills, Inc., Ex Parte Cease & Desist and Case No. GE-04-496, Public Service Commission vs. Earth Harvest Mills, Inc., Complaint.

Case No. GE-04-496  
vs. Earth Harvest Mills, Inc.  
Complaint  
Notice of Hearing

Mr. Cramer: I second the motion.  
Roll Call: All voting "Aye."

Case No. PU-04-526  
Heartland Feed, Inc. vs.  
Montana-Dakota Utilities Co.  
Complaint

Mrs. Wefald: I move the Commission find the complaint states a prima facie case and serve the complaint on Montana-Dakota Utilities Co., Case No. PU-04-526, Heartland Feed, Inc. vs. Montana-Dakota Utilities Co.

Mr. Cramer: I second the motion.  
Roll Call: All voting "Aye."

Case No. AU-04-540  
Jeremy J. Ferderer, Auction Clerk  
License No. 477  
Complaint

Mrs. Wefald: I move the Commission find the Complaint states a prima facie case, in Case No. AU-04-540, Public Service Commission, Complainant, vs. Jeremy J. Ferderer, Auction Clerk, and Capitol Indemnity Corporation, Respondents, and serve it on the Respondents.

Mr. Cramer: I second the motion.  
Roll Call: All voting "Aye."

Case No. PU-04-525  
Northern States Power Company  
October 2004  
Cost of Gas Adjustment

Mr. Cramer: I move the Commission approve Northern States Power Company's cost of gas adjustment for October 2004, Case No. PU-04-525.

Mr. Clark: I second the motion.  
Roll Call: All voting "Aye."

Case No. PU-04-533  
Great Plains Natural Gas Co.  
October 2004  
Cost of Gas Adjustment

Mr. Cramer: I move the Commission approve Great Plains Natural Gas Co.'s Cost of Gas adjustment for October 2004, Case No. PU-04-533.

Mr. Clark: I second the motion.  
Roll Call: All voting "Aye."

Case No. PU-04-534  
Montana-Dakota Utilities Co., a  
Division of MDU  
November 2004  
Cost of Gas Adjustment/Propane

Mr. Cramer: I move the Commission approve Montana-Dakota Utilities Co.'s propane Cost of Gas adjustment for November 2004, Case No. PU-04-534.

Mr. Clark: I second the motion.  
Roll Call: All voting "Aye."

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ATTEST

THE COMMISSION ADJOURNED AT 11:45 A.M.

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Executive Secretary

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TONY T. CLARK, PRESIDENT