

April 12, 2006

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on April 12, 2006, 10:00 a.m. Present were Commissioners Clark, Wefald, and Cramer.

Minutes

Mr. Cramer: I move the minutes of March 22, 2006, 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:

Fireside Office Plus	15,550.00
Schwab Vollhaber Lubratt, Inc.	1,300.00
Alltel	305.26
FedEx	27.48
ND Newspaper Association	220.61
National Conference of Regulatory Attorneys	300.00
Bureau of Governmental Affairs – UND	70.50
Kevin Cramer	29.00
Rick Fillbrandt	471.19
Timothy Erdmann	686.40
Patrick Fahn	828.04
Mark Knell	22.50
Larry Larson	20.99
Stephan Schroeder	22.50
Bruce Johnson	27.50
David Bickel	15.00
Guy Welch	15.00
Nirander M. Safaya	22.50
Bill Eide	209.20
Wayne Grangaard	972.17
Phyllis G. Richter	685.16
Leo D. Praus	733.17
JP Robbins	771.68
L.E. Peabody and Associates, Inc.	2,797.50
NDSU	321.02
Anthony Clark	518.84
Springbok Services, Inc.	455.00
Office of Administrative Hearings	1,257.32
OMB	6,517.00
DOT	9.00
OMB – 2 & 3/06 supplies	529.89
Office of State Auditor	670.00
OMB – 3/06 postage	733.75
OMB – 3/06 central duplicating	32.28

Bills Continued

Elan 5,348.14

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

Case No. PU-05-364  
Public Utilities - Electric  
Rulemaking

Mr. Cramer: I move the Commission adopt the Order submitting rules to the Attorney General for an opinion as to legality, Case Nos. PU-05-364, PU-05-575, RC-05-591, and PU-05-602.

Case No. PU-05-575  
Public Utilities - Telephone  
Rulemaking

Article 69-05.2 Amendments to Reclamation  
Article 69-06 Amendments to Siting  
Article 69-09 Amendments to Telecommunication and Electric

Case No. RC-05-591  
Reclamation  
Rulemaking

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

Case No. PU-05-602  
Public Utilities - Siting  
Rulemaking  
Submit to Attorney General

Case No. GE-05-594  
Licensing - Grain Buyer  
Rulemaking

Mr. Cramer: I move the Commission adopt the order in Public Service Commission, Case No. GE-05-594, indicating that no further action will be taken on the proposed changes to Section 69-07-01-14 of the North Dakota Administrative Code, and closing the case.

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

Case No. PU-06-45  
Level 3 Communications, LLC  
Interconnection Arbitration  
Application  
Admission to Practice

Mr. Cramer: I move the Commission permit attorneys Thomas Dethlefs and Ted Smith to appear before the Commission pursuant to N.D. Admin. Code § 69-02-01-06 and North Dakota Supreme Court Rule 3 for the limited purpose of representing Qwest Corporation in Case No. PU-06-45; Level 3 Communications, LLC, Interconnection Arbitration Application.

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

Case No. AU-06-123  
Jim L. Staiger  
Auctioneer  
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Jim L. Staiger, Hebron, North Dakota.

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

Case No. GE-06-128  
C-Shore International, Inc.  
Roving Grain Buyer - Glendale, CA  
License Application

Mr. Cramer: I move the Commission approve the roving grain buyer license application for C-Shore International, Inc., Glendale, California, effective March 31, 2006.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-06-129  
Horizon Milling, LLC  
Roving Grain Buyer - Minneapolis, MN  
License Application

Mr. Cramer: I move the Commission approve the roving grain buyer license application for Horizon Milling, LLC, Minneapolis, MN.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-06-130  
CHS, Inc.  
Roving Grain Buyer - St. Paul, MN  
License Application

Mr. Cramer: I move the Commission approve the roving grain buyer license application for CHS, Inc., St. Paul, Minnesota.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-06-143  
Ronald D. Olson  
Auctioneer License #511  
Revocation

Mr. Cramer: I move the Commission issue an order in Case No. AU-06-143 revoking auctioneer license number 511 of Ronald D. Olson, Jamestown, North Dakota, as of April 7, 2006, for failing to maintain an adequate bond filing.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-06-144  
Scott B. Schuster  
Auctioneer  
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Scott B. Schuster, Grand Forks, North Dakota.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-06-147  
Scott B. Schuster  
Auction Clerk  
License Application

Mr. Cramer: I move the Commission approve the auction clerk license application for Scott B. Schuster, Grand Forks, North Dakota.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-06-135  
Otter Tail Corporation  
Cogeneration/Small Power Producer Rates  
Suspend

Mr. Cramer: I move the Commission suspend Otter Tail Corporation's Cogeneration/Small Power Producer Rates, Case No. PU-06-135.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-165  
DIECA Communications, Inc.  
Interconnection Arbitration  
Application

Mr. Clark: I move the Commission adopt the Order Approving Arbitrated Agreement in DIECA Communications, Inc.'s Interconnection Agreement Arbitration with Qwest Corporation in Case No. PU-05-165.

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

Case No. GE-06-131  
Modern Grain, Inc.  
License No. 1121 - Hazen, ND  
Discontinue Business

Mr. Clark: I move the Commission issue an order in Case No. GE-06-131 granting the request of Modern Grain, Inc., Hebron, North Dakota, to discontinue business at its Hazen, North Dakota facility.

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

Case No. GE-06-132  
Farmers Union Elevator Company of  
Buxton  
License No. 450 - Buxton, ND  
Discontinue Business

Mr. Clark: I move the Commission issue an order in Case No. GE-06-132 granting the request of Farmers Union Elevator Company of Buxton to discontinue business at Buxton, North Dakota, effective April 1, 2006.

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

Case No. GE-06-133  
Reynolds United Co-op  
Grain Warehouse - Buxton, ND  
License Application

Mr. Clark: I move the Commission issue an order in Case No. GE-06-133 granting the request of Reynolds United Co-op to operate a 728,500-bushel grain warehouse at Buxton, North Dakota, effective April 1, 2006.

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

Case No. GE-06-134  
Farmers Coop Elevator Co. of Sharon  
License No. 398 – Sharon, ND  
Discontinue Business

Mr. Clark: I move the Commission issue an order in Case No. GE-06-134 granting the request of Farmers Coop Elevator Co. of Sharon to discontinue business at Sharon, North Dakota.

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

Case No. PU-06-41  
Otter Tail Corporation  
Voluntary Renewable Energy Rider  
Tariff

Mrs. Wefald: I move the Commission approve revisions to Otter Tail Corporation's Voluntary Renewable Energy Rider tariff schedule, Case No. PU-06-41.

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

Case No. PU-06-60  
Otter Tail Corporation  
Controlled Service Changes  
Tariff

Mrs. Wefald: I move the Commission approve revisions to Otter Tail Corporation's Controlled Service tariff schedules, Case No. PU-06-60.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-551  
Capital Electric Cooperative Inc. vs  
Montana-Dakota Utilities Co.  
Complaint

Mrs. Wefald: I move the Commission adopt the Order continuing this proceeding for an indefinite period of time until the issue of city franchise rights is finally determined.

Mr. Cramer: I second the motion.

Roll Call: Mrs. Wefald votes "Aye".

Mr. Cramer votes "Nay".

Mr. Clark votes "Nay".

Public Service Commission  
Underground Mine Mapping Project  
Proposal

Mrs. Wefald: I move the Commission confirm the submission of a proposal to the Office of Surface Mining Reclamation and Enforcement to procure funds to complete electronic conversion of abandoned mine land maps.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-06-105  
Otter Tail Corporation  
April 2006  
Fuel Cost Adjustment

Discussion Items Only

Case No. PU-06-114  
Montana-Dakota Utilities Co., a  
Division of MDU  
April 2006  
Fuel Cost Adjustment

Case No. PU-06-126  
Northern States Power Company  
April 2006  
Fuel Cost Adjustment

Case No. PU-06-136  
Northern States Power Company  
April 2006  
Cost of Gas Adjustment

Mr. Cramer: I move the Commission approve Northern States Power Company's cost of gas adjustment for April 2006, Case No. PU-06-136.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-06-138  
Great Plains Natural Gas Co.  
April 2006  
Cost of Gas Adjustment

Mr. Cramer: I move the Commission approve Great Plains Natural Gas Co.'s Cost of Gas adjustment for April 2006, Case No. PU-06-138.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-06-122  
2007 Administration and Enforcement  
Grant  
Application

Mr. Cramer: I move the Commission submit the 2007 Administration and Enforcement Grant Application to the Office of Surface Mining for funding the coal mining regulatory program from July 1, 2006, to June 30, 2007.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 11:20 A.M.

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Executive Secretary

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TONY T. CLARK, PRESIDENT