

November 22, 2006

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on November 22, 2006, 10:00 a.m. Present were Commissioners Clark, Wefald, and Cramer.

Minutes

Mr. Cramer: I move the minutes of November 8, 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:

Alltel	301.17
Shilo Jasso	220.00
Mike Diller	711.20
William W. Binek	894.91
Kevin Hanson	923.20
JP Robbins	1,105.76
Wayne Grangaard	15.00
Susan Wefald	756.60
Anthony T. Clark	1,063.44
Kevin Cramer	1,655.97
ITD – 10/06 DP fees	1,935.85
DOT – 10/06	12,866.53
OMB – 10/06 central duplicating	240.00
OMB – 10/06 postage	1,337.89
GE Corporate Payment Services	22,040.13

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-06-378
vs. Communications Network Billing,
Inc.
Complaint

Mr. Cramer: I move the Commission appoint Bill Binek and Patrick Fahn as advocacy staff, and Annette Bendish and Tom Rafferty as advisory staff in Public Service Commission vs. Communications Network Billing, Inc., Case No. PU-06-378.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-06-400
Midcontinent
Communications/Consolidated Telcom
Rural Exemption
Investigation

Mr. Cramer: I move the hearing scheduled for December 6, 2006 in Case No. PU-06-400, Midcontinent Communications/Consolidated Telcom, Rural Exemption Investigation be canceled.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-06-483
Robert Schear dba R S Grain
Roving Grain Buyer - Crookston, MN
License Application

Mr. Cramer: I move the Commission approve the roving grain license application for Robert Schear doing business as RS Grain, Crookston, Minnesota, effective November 9, 2006.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-06-489
Ashley Huhn
Auctioneer
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Ashley Huhn, Litchfield, Minnesota.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-06-474
Midcontinent Communications/ND
Telephone Co.
Interconnection Arbitration
Application

Mr. Cramer: I move the Commission adopt the Order Approving the Stipulation filed by Midcontinent Communications and North Dakota Telephone Company in this proceeding; Case No. PU-06-474.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-06-226
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-06-226.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-06-466
Otter Tail Corporation
Renewable Generation Rider
Application

Mr. Cramer: I move the Commission appoint Bill Binek, Annette Bendish and Mike Diller as advocacy staff, and Illona Jeffcoat-Sacco and Jerry Lein as advisory staff in Otter Tail Corporation's Renewable Generation Rider Application, Case No. PU-06-466.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-06-470
Montana-Dakota Utilities Co., a
Division of MDU
Minot Air Force Base Distribution
Tariff

Mr. Cramer: I move the Commission suspend Montana-Dakota Utilities Co.'s Minot Air Force Base Distribution tariff, Case No. PU-06-470.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-06-468
BNI Coal, Ltd.
Var to Reveg Liability Period, Permit
BNCR-8106
Approval

Mr. Cramer: I move the Commission approve a variance to the ten-year performance bond liability period for a reclaimed sedimentation pond, soil stockpiles, and related disturbances within portions of Surface Coal Mining Permit No. BNCR-8106 held by BNI Coal for the Center Mine.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Blaster Certification
Approval

Mr. Cramer: I move the Commission approve the blaster certification of the following applicants:

No.	Applicant	Affiliation	Certificate No.
		<u>Certification</u>	
1.	Joshua Entzel	Freedom Mine	06-11-291
2.	Sarah Flath	Freedom Mine	06-11-289
3.	Joe Speikermeier	Freedom Mine	06-11-288
4.	Brian Walther	Freedom Mine	06-11-290
5.	Michael Berg	PSC	06-11-287

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-200
North Dakota Telephone Company
2004
Annual Report

Mr. Clark: I move the Commission close North Dakota Telephone Company's 2004 Annual Report, Case No. PU-05-200.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-06-106
North Dakota Telephone Company
2005
Annual Report

Mr. Clark: I move the Commission close North Dakota Telephone Company's 2005 Annual Report, Case No. PU-06-106.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-06-166
Qwest Corporation
2005
Annual Report

Mr. Clark: I move the Commission close Qwest Corporation's 2005 Annual Report, Case No. PU-06-166.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-06-378
vs. Communications Network Billing,
Inc.
Complaint

Mr. Clark: I move the Commission issue a Default Order in Case No. PU-06-378, Public Service Commission vs. Communications Network Billing, Inc.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-06-471
UAP Distribution, Inc.
License No. 1173 - Valley City, ND
Discontinue Business

Mr. Clark: I move the Commission issue an order in Case No. GE-06-471 granting the request of UAP Distribution, Inc., Greeley, Colorado, to discontinue business at Valley City, North Dakota.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-06-485
Blue Flint Ethanol LLC
Grain Warehouse - Underwood, ND
License Application

Mr. Clark: I move the Commission issue an order in Case No. GE-06-485 granting the request of Blue Flint Ethanol, LLC, South Jordan, Utah, to operate a 1,500,000-bushel grain warehouse at Underwood, North Dakota, effective December 1, 2006.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-06-58
Qwest Performance Assurance Plan
Investigation

Mr. Clark: I move the Commission issue a Notice of Informal Hearing in Case No. PU-06-58, Public Service Commission's Investigation into Qwest's Performance Assurance Plan.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-06-443
Tatanka Wind Power, LLC
230 kV Transmission Line/Dickey -
McIntosh Ctys. Siting Application

Mrs. Wefald: I move the Commission deem the application complete and issue a Notice of Filing and Notice of Hearing in the application of Tatanka Wind Power, LLC for a waiver of procedures and time schedules, a corridor certificate and a route permit authorizing construction of a 230 kV Transmission Line in Dickey and McIntosh Counties of North Dakota, Case No. PU-06-443.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-06-478
PSC - AML Division
2007-2010 ND Reclamation Simplified
Grant Application

Mrs. Wefald: I move the Commission approve the following AML construction projects: Beulah/Zap Phase 11, Williams County Road 9 Phase 2, and Columbus Phase 8 for abandoned mine reclamation in 2007.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-06-476
Montana-Dakota Utilities Co., a
Division of MDU
December 2006
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 December 2006, Case No. PU-06-476.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-06-477
Montana-Dakota Utilities Co., a
Division of MDU
December 2006
Cost of Gas Adjustment/Propane

Mr. Cramer: I move the Commission approve Montana-Dakota Utilities Co.'s propane Cost of Gas adjustment for December 2006, Case No. PU-06-477.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-04-600
Bentonite Performance Minerals
Bond Release No. 2, Permit 34
Approval

Mr. Cramer: I move the Commission approve Bond Release No. 2 for Surface Coal Mining Permit 34, held by Bentonite Performance Minerals for the Gaylord Olson Mine, to release all the reclamation liabilities on 58.68 acres located in portions of Section 1, T129N, R95W, Adams County. The amount of the bond release is \$28,458.00 and it will become effective December 26, 2006, unless a formal hearing is requested.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 11:30 A.M.

Executive Secretary

TONY T. CLARK, PRESIDENT