

May 16, 2007

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on May 16, 2007, 10:00 a.m. Present were Commissioners Clark and Cramer. Commissioner Wefald participated by phone and authorized her administrative assistant to sign the orders and contracts on her behalf.

Minutes

Mr. Cramer: I move the minutes of May 2 and 11, 2007 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:

Thiem Drilling, Inc.	17,760.00
Snavely King Majoros O'Connor & Lee, Inc.	12,919.95
Leo Praus	532.50
Wayne Grangaard	541.69
Susan Wefald	153.95
Mike Diller	1,671.23
National Conference of Regulatory Attorneys	300.00
National Assoc. of AML Programs	200.00
US Bankruptcy Court	150.00
Radey Thomas Yon Clark	29,026.39
MARC	400.00
OMB – 4-07 supplies	381.70
ITD – 4/07 microfilm	565.60
OMB – 4/07 postage	662.87
ITD – 4/07 phone	1,345.99
ITD – 4/07 dp	3,646.01
OMB – 4/07 central duplicating	609.73
DOT	11,351.29
GE Corporate Payment Services	11,190.24

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-07-151
Otter Tail Corporation
Scott Miller, Wahpeton
Public Convenience & Necessity

Mr. Cramer: I move the Commission adopt the Order and issue a Certificate of Public Convenience and Necessity authorizing Otter Tail Power Company to extend electric service to Scott Miller for a residential site near Wahpeton, North Dakota, Case No. PU-07-151.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-07-157
Great Plains Natural Gas Co.
Purchased Gas Adjustment
Tariff

Mr. Cramer: I move the Commission approve the filing of Great Plains Natural Gas Company making changes to its Purchased Gas Adjustment tariff, Case No. PU-07-157.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-07-186
KK Grain Marketing, Inc.
Roving Grain Buyer - Tower City, ND
License Application

Mr. Cramer: I move the Commission approve the roving grain license application for KK Grain Marketing, Inc., Tower City, North Dakota, effective May 8, 2007.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-07-187
Kevin L. Perry
Auctioneer
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Kevin L. Perry, Lincoln, Nebraska.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-06-481
Otter Tail Corporation
Advance Determination of Prudence
Application

Mr. Clark: I move the Commission issue a Notice of Rescheduled Hearings in Case Nos. PU-06-481, PU-06-482 and PU-07-3.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-06-482
Montana-Dakota Utilities Co., a
Division of MDU
Advance Determination of Prudence
Application

Case No. PU-07-3
Otter Tail Corporation
Large Commercial Time of Day
Tariff

Case No. PU-07-189
Montana-Dakota Utilities Co., a
Division of MDU
Electric Service Agreement
State Capitol
Approval

Mr. Clark: I move the Commission adopt the Order approving MDU's interruptible electric service contract and Amendment No. 1 to MDU's existing electric service contract with the State Capitol, Case No. PU-07-189.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-07-175
Northern States Power Company
May 2007
Fuel Cost Adjustment

Discussion Item Only

Case No. AM-05-576
Williams County Road 9
2006 Phase 1 Construction
Project

Mr. Clark: I move the Commission extend Contract No. AM-520-06 with Thiem Drilling, Inc., until June 15, 2007 for construction services at the Williams County Road 9 Phase 1 abandoned mine land site.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-05-576
Williams County Road 9
2006 Phase 1 Construction
Project

Mr. Clark: I move the Commission extend Contract No. AM-522-06 with Material Testing Services, LLC, until June 15, 2007 for material testing services at the Williams County Road 9 Phase 1 abandoned mine land site.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-05-577
AML Maintenance
2006 Construction
Project

Mr. Clark: I move the Commission close-out Contract No. AM-533-06 with Hanson's Excavating Inc. for completion of construction services for sinkhole filling at several abandoned underground mine sites in western North Dakota.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-07-179
Great Plains Natural Gas Co.
May 2007
Purchased Gas Adjustment

Mr. Cramer: I move the Commission approve Great Plains Natural Gas Co.'s Cost of Gas Adjustment for May 2007, Case No. PU-07-179.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-07-184
Dakota Gasification Company
CO2 Pipeline
Siting Application

Mr. Cramer: I move the Commission deem the application complete and issue a Notice of Filing and Notice of Hearing in Dakota Gasification Company's CO2 Pipeline Siting Application, Case No. PU-07-184.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-06-525
Northern States Power Company
Natural Gas Rate Increase
Application

Mr. Cramer: I move the Commission cancel the hearing scheduled to begin May 24, 2007 in Northern States Power Company Natural Gas Rate Increase Application, Case No. PU-06-525.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-07-192
Montana-Dakota Utilities Co., a
Division of MDU
June 2007
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 June 2007, Case No. PU-07-192.

Mr. Clark: 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 Supplemental Findings of Fact, Conclusions of Law, and Order concerning 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. PU-07-156
Telecommunications Relay Service
Misc. Case

Mr. Clark: I move the Commission publish notice of the 2007-2008 Telecommunications Relay Service Surcharge in the daily newspapers of general circulation in the state of North Dakota, Case No. PU-07-156.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-07-38
Heartland Feed, Inc.
Tioga, ND
Insolvency

Mr. Clark: I move the Commission submit a Request for Relief from Stay to the United States Bankruptcy Court to permit the Commission to commence an action in state District Court to secure the Commission's appointment as trustee under the insolvency provisions of Chapter 60-03 of the North Dakota Century Code, Public Service Commission Case No. GE-07-38.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-405-00-104
Absaraka Co-op Tele. Co.
Access
Tariff

Mr. Clark: I move the Commission adopt the order closing the captioned proceedings.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-432-99-472
West River Telecommunications
Cooperative
Access
Tariff

Case No. PU-1540-99-473
West River Communications, Inc.
Access
Tariff

Case No. PU-426-99-481
Polar Communications Mutual Aid
Corporation
Access
Tariff

Case No. PU-418-99-490
BEK Communications Cooperative
Access
Tariff

Case No. PU-1680-99-491
BEK Communications I Inc.
Access
Tariff

Case No. PU-427-99-492
Reservation Telephone Cooperative
Access
Tariff

Case No. PU-431-99-493
United Telephone Mut Aid Corp
Access
Tariff

Case No. PU-1686-99-494
Turtle Mountain Communications, Inc.
Access
Tariff

Case No. PU-1682-99-495
Dakota Central Telecommunications
Cooperative
Access
Tariff

Case No. PU-2013-99-496
Consolidated Telcom, Inc.
Access
Tariff

Case No. PU-1264-99-497
North Dakota Telephone Company
Access
Tariff

Case No. PU-1685-99-498
Inter-Community Telephone Company
II, L.L.C.
Access
Tariff

Case No. PU-449-99-499
Inter-Community Telephone Company
Access
Tariff

Case No. PU-1576-99-500
Dickey Rural Communications, Inc.
Access
Tariff

Case No. PU-421-99-501
Dickey Rural Telephone Cooperative
Access
Tariff

Case No. PU-1683-99-502
Dakota Central Telecom I, Inc.
Access
Tariff

Case No. PU-425-99-503
Northwest Communications
Cooperative
Access
Tariff

Case No. PU-419-99-504
Consolidated Telephone Co-operative
Access
Tariff

Salary Adjustment

Mr. Clark: I move the approval of a salary increase effective May 1, 2007 for Position No. 5015, upon the satisfactory completion of a six-month probationary period, in an amount consistent with the terms set forth in the Commission's October 24, 2006 offer of employment.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 10:30 A.M.

Executive Director

SUSAN E. WEFALD, PRESIDENT