

March 25, 2009

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on March 25, 2009, 10:00 a.m. Present were Commissioners Cramer and Clark. Commissioner Kalk participated by telephone and authorized his administrative assistant to sign orders and contracts on his behalf.

Minutes

Mr. Clark: I move the minutes of March 11, 2009 be approved.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Bills

Mr. Clark: I move the following bills, as reviewed by the Commission, be approved and paid:

National Association of Pipeline Safety Rep.	300.00
Presort Plus	15.36
Alltel	388.26
UND – Bureau of Governmental Affairs	95.00
Leo Praus – 4/09 advance	541.50
Rick Fillbrandt	454.65
DOT – 2/09 mileage	12,041.21
OMB – 2-09 supplies	545.10
GE Corporate Payment Services	7,950.41

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-07-783
Coteau Properties Company
Liability Period Variance Permits
Approval

Mr. Clark: I move the Commission approve The Coteau Properties Company's request for a variance from the ten-year revegetation responsibility period for 81 acres of reclaimed cropland located in Section 20, T145N, R87W, Mercer County.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-08-576
Coteau Properties Company
Liability Period Variance –
Permit NACT-9101
Approval

Mr. Clark: I move the Commission approve The Coteau Properties Company's request for a variance from the ten-year revegetation responsibility period for 79.3 acres of reclaimed cropland located in Section 22, T145N, R86W, Mercer County.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-09-98
Northern States Power Company
Gas Meter Trouble Reports
Tariff

WITHDRAWN

Case No. PU-09-99
Northern States Power Company
Electric Meter Trouble Reports
Tariff

WITHDRAWN

Case No. PU-07-54
Just Wind - Wind Farm Development
Wind Farm - Logan County
Siting Application

WITHDRAWN

Case No. GE-09-104
VeraSun Hankinson, LLC
Grain Warehouse
Insolvency

Mr. Clark: I move the Commission submit a Request for Relief from Stay and submit a filing fee of \$150 to the United States Bankruptcy Court for the District of Delaware to permit the Commission to commence an action in North Dakota District Court to secure the Commission's appointment as trustee under the insolvency provisions of Chapter 60-04 of the North Dakota Century Code, Public Service Commission Case No. GE-09-104.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-08-942
Montana-Dakota Utilities Co.,
a Division of MDU
19.5 Mw Wind Facility - Rhame, ND
Public Convenience & Necessity

Mr. Clark: I move the Commission adopt the Order and Issue Certificate of Public Convenience and Necessity No. 5392 authorizing Montana-Dakota Utilities Co. to construct, own, and operate a 19.5 MW wind energy facility known as the Cedar Hills project in Bowman County, North Dakota, Case No. PU-08-942.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-08-872
Halstad Telephone Company
Designated Eligible Carrier
Application

Mr. Kalk: I move the Commission adopt the order granting the request of Halstad Telephone Company for designation as an Eligible Telecommunications Carrier for the purpose of receiving federal universal service support in the Hillsboro exchange in North Dakota, Case No. PU-08-872.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-09-108
Otter Tail Corporation /
Northern Plains Electric
Jamestown Area
Service Area Agreement

Case No. PU-09-109
Otter Tail Corporation
Jamestown Area - Service Area
Agreement
Public Convenience & Necessity

AML Construction Inspector

Mr. Kalk: I move the Commission issue a Notice of Filing, Notice of Informal Hearing and Notice of Opportunity for Hearing in the joint application of Otter Tail Corporation and Northern Plains Electric Cooperative for approval of a service area agreement and issuance of a certificate of public convenience and necessity to establish service areas and designate service locations to be served by Otter Tail and Northern Plains Electric within and around the City of Jamestown, North Dakota, Case Nos. PU-09-108 and PU-09-109.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Mr. Clark: I move the Commission hire Raymond Kelsch for seasonal part-time employment as a Construction Inspector for the AML Division with a period of employment from April 1, 2009 to November 15, 2009 at a salary of \$15.25 per hour plus time and a half for hours in excess of the standard 40 hour work week.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 10:38 A.M.

Executive Secretary

KEVIN CRAMER, PRESIDENT