

April 22, 2009

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on April 22, 2009, 10:00 a.m. Present were Commissioners Cramer, Clark and Kalk.

Case No. AM-08-11  
AML Maintenance  
2008 Construction  
Project

Mr. Cramer: I move the Commission authorize staff to write change orders to Contract No. AM-572-08 with Hanson's Excavating, Inc. to increase the total amount of the contract by a maximum of \$20,000 for underground mine sinkhole filling work associated with the 2008 Sinkholes 4 project.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-09-26  
Williams County Road 9  
2009 Phase 4 Construction  
Project

Mr. Cramer: I move the Commission issue an Intent to Award a contract to Material Testing Services, LLC in the amount of \$52,150.00 for material testing and other services for the Williams County Road 9, Phase 4, abandoned mine land reclamation project.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-09-26  
Williams County Road 9  
2009 Phase 4 Construction  
Project

Mr. Cramer: I move the Commission issue an Intent to Award a contract to Agri Industries, Inc. in the amount of \$958,375.00 for drilling and grouting at the Williams County Road 9, Phase 4, abandoned mine land reclamation project.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-09-27  
Hazen West  
2009 Phase 2 Construction  
Project

Mr. Cramer: I move the Commission issue an Intent to Award a contract to Kern & Tabery, Inc. in the amount of \$586,040.00 for construction services at the Hazen West, Phase 2, abandoned mine land reclamation project.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-08-34  
M-Power LLC  
Electric Generation - Wind -  
Griggs/Steele County  
Siting Application

Mr. Clark: I move the Commission issue a Notice of Hearing for the revised south field wind turbine site plan filed in Case No. PU-08-34, M-Power, LLC's application for a certificate of site compatibility to construct the Luverne Wind Farm proposed in Griggs and Steele Counties of North Dakota.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-08-75  
Basin Electric Power Cooperative, Inc.  
Electric Generation/Wind –  
Ward County  
Siting Application

Mr. Clark: I move the Commission deem the application complete conditioned on receiving final facilities locations by May 19, 2009 and issue a Notice of Filing and Notice of Hearing in Case No. PU-08-75, Basin Electric Power Cooperative, Inc.'s proposed 115.5 MW PrairieWinds project in Ward County, North Dakota.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 10:40 A.M.

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Executive Secretary

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KEVIN CRAMER, PRESIDENT