

April 29, 2009

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on April 29, 2009, 10:00 a.m. Present were Commissioners Cramer, Clark and Kalk.

Minutes

Mr. Cramer: I move the minutes of April 13, 22, 2009 be approved.

Mr. Kalk: 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	277.75
American Society of Mining & Reclamation	500.00
Snavelly King Majoros O'Connor & Bedell, Inc.	10,022.50
ND Newspaper Association	1,090.46
Capitol Café	107.70
Presort Plus	16.26
Williams County Abstract Company	1,497.00
Anthony T. Clark	158.24
Brian P. Kalk	355.20
Kevin Cramer	863.13
The Liberty Consulting Group	1,005.24
Leo Praus – 5/09 advance	491.00
Mark Knell	30.71
ND Geological Survey	1,148.73
DOT – 3-09 mileage	10,151.16
ITD – 3/09 dp	3,467.80
OMB – 3/09 postage	798.32
GE Corporate Payment Services	5,793.38

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Blaster Certification and Re-Certification Approval

Mr. Cramer: I move the Commission approve blaster certification and re-certification for the following applicants:

No.	Applicant	Affiliation	Certificate No.
1.	Dwight J. Hatzenbuehler	Freedom Mine	90-03-170 R(6)
2.	Jayne L. Praus	Freedom Mine	09-04-311
3.	Adrian P. Dvorak	Falkirk Mine	09-04-307
4.	Michael Gene Fenton	Falkirk Mine	09-04-308
5.	Jeffrey Walcker	Falkirk Mine	09-04-309
6.	Curtiss R. Eng	Falkirk Mine	06-04-283 R(1)
7.	Michael F. Hilbert	Falkirk Mine	85-12-075 R(8)
8.	Dennis L. Johnson	Falkirk Mine	03-04-264 R(2)
9.	Rodney L. Wald	Falkirk Mine	93-11-209 R(5)
10.	Gene Walch	Falkirk Mine	85-10-051 R(8)
11.	Brian D. Fink	Beulah Mine	06-08-284 R(1)
12.	Matt Klingenstein	ND PSC	09-04-310

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-09-164
Dale Pavlis
Auctioneer
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Dale Pavlis, Hadley, Minnesota.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-09-165
Robin Solheim dba Solheim
Auction & Clerking
Auction Clerk
License Application

Mr. Cramer: I move the Commission approve the auction clerk license application for Robin Solheim dba Solheim Auction & Clerking, Williston, North Dakota.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-08-722
Otter Tail Corporation
Cas Aarestad - Griggs County, ND
Public Convenience & Necessity

Mr. Cramer: I move the Commission adopt the Order and issue a Certificate of Public Convenience and Necessity authorizing Otter Tail Corporation to extend electric service to Cas Aarestad at a location in Griggs County, North Dakota, Case No. PU-08-722.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-09-153
Hawthorn Oil Transportation
(North Dakota), Inc.
12- inch Crude Oil Pipeline –
Mountrail County
Siting Application

Mr. Cramer: I move the Commission acknowledge the Letter of Intent, shorten the one-year waiting period between filing a letter of intent and a siting application to one day, and assess a filing fee of \$15,000 due upon the filing of an application in Case No. PU-09-153, Hawthorn Oil Transportation (North Dakota), Inc.'s proposed 12-inch crude oil pipeline in Mountrail County, North Dakota.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-09-158
Falkirk Mining Company
Self and Collateral Bonds
Approval

Mr. Cramer: I move the Commission approve a stipulation of increase for Self-Bond SB-9503-1 and to replace Collateral-Bond CB-9503-1 with Collateral-Bond CB-9503-2 to increase the total bond amount to \$56,950,000 for the consolidated bond area that covers Surface Coal Mining Permits NAFK-8405, NAFK-8705, and NAFK-9503 held by the Falkirk Mining Company.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

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

Mr. Clark: I move the Commission adopt the Findings of Fact, Conclusions of Law, and Order issuing Certificate of Site Compatibility No. 11 to Just Wind, LLC authorizing construction of a proposed 368 MW wind farm in Logan County, North Dakota, Case No. PU-07-54.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-09-112
Sustainable Systems, LLC dba
Montola Roving Grain Buyer
Insolvency

Mr. Clark: I move the Commission file an application with the Burleigh County District Court, South Central Judicial District, for appointment as trustee of Sustainable Systems Limited Liability Company doing business as Montola, of Culbertson, Montana, under North Dakota Century Code Chapter 60-02.1, in Public Service Commission Case No. GE-09-112.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-09-173
BNI Coal, Ltd.
Collateral Bonds
Approval

HOLD OVER

Case No. PU-09-72
Otter Tail Corporation
Demand Side Management and
Conservation
Tariff

WITHDRAWN

Case No. PU-08-742
Otter Tail Corporation
Renewable Resource Cost Recovery
Rider 2009
Tariff

Mr. Kalk: Upon a showing of good cause, I move the Commission grant Otter Tail Corporation's request to suspend the procedural schedule and continue the hearings in Case No. PU-08-742 and Case No. PU-08-862, and request that the Administrative Law Judge issue the corresponding order.

Case No. PU-08-862
Otter Tail Corporation
Electric Rate Increase
Application

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