

June 3, 2009

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on June 3, 2009, 10:00 a.m. Present were Commissioners Cramer, Clark and Kalk.

Minutes

Mr. Clark: I move the minutes of May 20, 2009 be approved.

Mr. Kalk: 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:

Basaraba Excavating & Dirt Works	5,587.50
Kern & Tabery, Inc.	23,820.00
Dell Marketing L.P.	5,102.42
Sybase Inc.	4,356.00
Red River Valley Fair Association	275.00
ND Newspaper Association	390.78
Reach Partners, Inc.	20.00
National Regulatory Research Institute	3,400.00
Rick Fillbrandt	490.85
Wayne Grangaard	518.30
Leo D. Praus	331.22
Phyllis G. Richter	751.74
Timothy Erdmann	549.47
Mark Knell	173.76
Ray Kelsch	633.38
William E. Dodd	129.04
Guy Welch	22.50
William T. Gunnerson	95.00
Bruce Johnson	7.50
Bruce Beechie	47.50
Stephan A. Schroeder	35.00
Janet Marquart	2,122.50
Office of Administrative Hearings	830.31
OMB – 5/09 supplies	593.16
JP Morgan Chase & Company	6,536.51

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-07-596  
Belle Fourche Pipeline Company  
8-Inch Crude Oil Pipeline/  
McKenzie County  
Siting Application

Mr. Clark: I move the Commission approve Belle Fourche Pipeline Company's Tree/Shrub Replanting Plan filed May 19, 2009, Case No. PU-07-596

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-47  
PPM Energy, Inc.  
Rugby Wind Farm - Pierce County  
Siting Application

Mr. Clark: I move the Commission acknowledge the May 22, 2009 approval by Commission staff of a proposed turbine location change requested on May 21, 2009, in Case No. PU-05-47, Rugby Wind, LLC's 150 MW Wind Farm in Pierce County, North Dakota.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-05-305  
PPM Energy, Inc.  
230 kV Transmission Line  
Siting Application

Mr. Clark: I move the Commission acknowledge the May 21, 2009 staff approval of proposed transmission line structure location changes filed May 13, 2009, in Case No. PU-05-305, Iberdrola Renewables, Inc. f/k/a PPM Energy, Inc. 230 kV Transmission Line Siting Application.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-09-126  
Montana-Dakota Utilities Co.,  
a Division of MDU  
Continental Rscs. Marlene &  
McGregor – Williams Ct  
Public Convenience & Necessity

Mr. Clark: I move the Commission adopt the Order and issue a Certificate of Public Convenience and Necessity authorizing Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., to extend electric service to Continental Resources' Marlene 1-10H and McGregor 1-15H oil well sites at locations in Williams County, North Dakota, Case No. PU-09-126.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-09-127  
Montana-Dakota Utilities Co.,  
a Division of MDU  
Continental Rscs Lawrence 1-24H –  
Williams Cty  
Public Convenience & Necessity

Mr. Clark: I move the Commission adopt the Order and issue a Certificate of Public Convenience and Necessity authorizing Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., to extend electric service to Continental Resources' Lawrence 1-24H oil well site at a location in Williams County, North Dakota, Case No. PU-09-127.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-09-128  
Montana-Dakota Utilities Co.,  
a Division of MDU  
Continental Rscs Hamlet 1-11 H –  
Williams Cty  
Public Convenience & Necessity

Mr. Clark: I move the Commission adopt the Order and issue a Certificate of Public Convenience and Necessity authorizing Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., to extend electric service to Continental Resources' Hamlet 1-11H oil well site at a location in Williams County, North Dakota, Case No. PU-09-128.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-09-129  
Montana-Dakota Utilities Co.,  
a Division of MDU  
Continental Rscs Josephine 1-8H –  
Williams Cty  
Public Convenience & Necessity

Mr. Clark: I move the Commission adopt the Order and issue a Certificate of Public Convenience and Necessity authorizing Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., to extend electric service to Continental Resources' Josephine 1-8H oil well site at a location in Williams County, North Dakota, Case No. PU-09-129.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-08-612  
Dakota Westmoreland Corporation  
Revision No. 25, Permit KRSB-8802  
Approval

Mr. Cramer: I move the Commission schedule an informal conference on the application for Revision No. 25 to Surface Coal Mining Permit KRSB-8802 held by Dakota Westmoreland Corporation for the Beulah Mine.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-08-889  
BNI Coal, Ltd.  
Revision 25, Permit No. BNCR - 9702  
Approval

Mr. Cramer: I move the Commission approve Revision No. 25 to Surface Coal Mining Permit No. BNCR-9702, held by BNI Coal, Ltd. for the Center Mine, to allow additional mining within the existing permit area and to update other information and mining and reclamation plans in the permit.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-09-205  
Berlin Farmers Elevator  
License No. 76 - Berlin, ND  
Discontinue Business

Mr. Clark: I move the Commission issue an order in Case No. GE-09-205 granting the request of Berlin Farmers Elevator to discontinue business at Berlin, North Dakota, effective June 1, 2009.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-09-207  
South Dakota Wheat Growers  
Association  
Facility Based Grain Buyer - Berlin, ND  
License Application

Mr. Clark: I move the Commission issue an order in Case No. GE-09-207 granting the request of South Dakota Wheat Growers Association to operate as a facility-based grain buyer at Berlin, North Dakota, effective June 1, 2009.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-09-221  
M-Power, LLC / Ashtabula Wind II, LLC  
Transfer of Site Certificate  
Siting Application

Mr. Clark: I move the Commission issue a Notice of Opportunity for Hearing in the joint application of M-Power, LLC and Ashtabula Wind II, LLC for the transfer of the anticipated Certificate of Site Compatibility for Energy Conversion Facility to Ashtabula Wind II, LLC for its ownership of the 120 MW Phase I portion of the Luverne Wind Farm in Griggs and Steele Counties of North Dakota, Case No. PU-09-221.

Mr. Kalk: 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

Mr. Kalk: I move the Commission adopt the Order Approving Electric Service Area Agreement, and issue Certificate of Public Convenience and Necessity No. 5401 to Otter Tail Corporation d/b/a Otter Tail Power Company authorizing the extension of electric service to customers around the City of Jamestown, North Dakota, as established by the Service Area Agreement, Case Nos. PU-09-108 and PU-09-109.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

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

ATTEST

THE COMMISSION ADJOURNED AT 11:42 A.M.

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Executive Secretary

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KEVIN CRAMER, PRESIDENT