

September 9, 2009

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on September 9, 2009, 10:00 a.m. Present were Commissioners Cramer, Clark and Kalk.

Minutes

Mr. Clark: I move the minutes of August 26, September 1, 8, 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:

ND Newspaper Association	1,033.70
Kadrmass, Lee & Jackson, Inc.	1,174.88
Spherion Corporation	370.00
Phyllis G. Richter	809.14
JP Robbins	638.55
Alan Moch	257.25
Stephan A. Schroeder	29.78
Mark Knell	688.03
Bruce Beechie	89.68
William E. Dodd	202.92
Ray Kelsch	1,175.40
Guy Welch	22.50
Bruce Johnson	60.17
Kevin Hanson	731.66
Timothy Erdmann	786.95
Rick Fillbrandt	993.93
Brian Kalk	432.00
Leo D. Praus	490.82
American Inns of Court	420.00
Agri Industries, Inc.	261,911.85
Kern & Tabery, Inc.	82,467.90
Tim Oswald	1,367.78
ITD – 8/09 microfilm	1,078.60
ITD – 8/09 phone chgs	1,671.22
ITD – 8/09 dp	9,167.46
OMB – 7/09 ups	19.53
OMB – 8/09 supplies	346.35
ITD – 7/09 microfilm	557.80

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-06-421  
TransCanada Keystone Pipeline, LP  
30-Inch Crude Oil Pipeline/  
Cavalier to Sargent Cty  
Siting Application

Mr. Clark: I move the Commission assess an additional application fee of \$50,000 to TransCanada Keystone Pipeline, LP, to pay ongoing case process expenses in Case No. PU-06-421, TransCanada Keystone Pipeline, LP, 30-inch Crude Oil Pipeline/Cavalier to Sargent Counties, Siting Application.

Mr. Kalk: 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 acknowledge the September 1, 2009 staff approval of Basin Electric Power Cooperative's request filed August 18, 2009 for changes in location of wind turbine Nos. A04, E70 and D53 in its PrairieWinds ND1 project in Ward County, North Dakota, Case No. PU-08-75.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-09-638  
Patrick E. Ryan  
Roving Grain Buyer - Hannah, ND  
License Application

Mr. Clark: I move the Commission approve the roving grain license application in Case No. GE-09-638 for Patrick E. Ryan of Hannah, North Dakota.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Coal Mining Regulatory Program  
2009 OSM Evaluation Report

Mr. Cramer: I move the Commission accept the federal Office of Surface Mining's 2009 Evaluation Report for the Coal Mining and Reclamation Regulatory Program.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-09-581  
Columbus  
2009 Phase 10 Construction  
Project

Mr. Cramer: I move the Commission issue an intent to award a contract to Edward H. Schwartz Construction, Inc. for the 2009 Columbus Phase 10 Abandoned Mine Lands project located south of Columbus in Burke County.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-09-634  
Dakota Midland Grain, LLC  
Grain Warehouse - Surrey, ND  
License Application

Mr. Clark: I move the Commission issue an order in Case No. GE-09-634 granting the request of Dakota Midland Grain, LLC, Voltaire, North Dakota, to operate a 2,028,000-bushel grain warehouse at Surrey, North Dakota, effective August 28, 2009.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-09-641  
Modern Grain, Inc.  
Grain Warehouse - Beulah, ND  
License Application

Mr. Clark: I move the Commission issue an order in Case No. GE-09-641 granting the request of Modern Grain, Inc. to operate a 75,000-bushel grain warehouse at Beulah, North Dakota, effective September 1, 2009.

I further move the Commission grant the request of Modern Grain, Inc. to operate its grain warehouse at Beulah, North Dakota, full time through harvest and on an as needed basis by appointment only for the remainder of the year.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-09-631  
Allete, Inc. / Square Butte  
Electric Cooperative  
Transfer of Corridor Certificates &  
Route Permits  
Siting Application

Mr. Clark: I move the Commission issue a Notice of Opportunity for Hearing in the joint application of Minnesota Power, an operating division of Allete, Inc., and Square Butte Electric Cooperative for transfer of Certificate of Corridor Compatibility Nos. 70, 76 and 78, and for transfer of Route Permit Nos. 79, 86 and 88 to Minnesota Power for its proposed ownership of Square Butte's 250 kV Center to Duluth DC electric transmission line, Case No. PU-09-631.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 10:35 A.M.

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Executive Secretary

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KEVIN CRAMER, CHAIRMAN