

January 27, 2010

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on January 27, 2010, 10:00 a.m. Present were Commissioners Cramer, Clark and Kalk.

Minutes

Mr. Clark: I move the minutes of January 13, 2010 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:

Hewlett-Packard Company	99.00
CDW Government, Inc.	2,763.82
Roughrider Industries	1,954.00
Alltel	340.44
ND Newspaper Association, Inc.	190.56
Leo Praus – 2/10 advance	491.00
Brian P. Kalk	69.30
Kevin Hanson	642.88
Susan Richter	205.48
Hytek, Ltd.	200.00
Material Testing Services, LLC	20,430.00

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-10-29
Clifford Merchandising Group, LLC
Roving Grain Buyer - Clifford, ND
Discontinue Business

Mr. Clark: I move the Commission issue an order in Case No. GE-10-29 cancelling roving grain buyer license number 3143 issued to Clifford Merchandising Group, LLC and ordering that all North Dakota roving grain buyer activities be discontinued effective immediately.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-10-34
Nature's Organic Grist, LLC
Roving Grain Buyer –
Saint Croix Falls, WI
License Application

Mr. Clark: I move the Commission approve the roving grain buyer license application in Case No. GE-10-34 for Nature's Organic Grist, LLC, Saint Croix Falls, Wisconsin, effective January 26, 2010.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-10-36
Adam Wanner
Auctioneer
License Application

Mr. Clark: I move the Commission approve the auctioneer license application for Adam Wanner, Golden Valley, ND.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-09-666
Montana-Dakota Utilities Co.,
a Division of MDU
Ardis Gloria - Morton County
Public Convenience & Necessity

Mr. Clark: I move the Commission adopt the Order and issue a First Amended Certificate of Public Convenience and Necessity authorizing Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., to extend electric service to Ardis Gloria at a location in Morton County, North Dakota, Case No. PU-09-666.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-10-22
Northern States Power Company
Cogeneration / Small Power
Production
Rates

Mr. Clark: I move the Commission approve Northern States Power Company's updated Cogeneration/Small Power Producer rates, Case No. PU-10-22.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-09-665
Otter Tail Corporation
Michael Flaa - Richland Cty
Public Convenience & Necessity

Mr. Clark: I move the Commission adopt the Order and issue a First Amended Certificate of Public Convenience and Necessity authorizing Otter Tail Power Company, formerly known as Otter Tail Corporation, to extend electric service to Michael Flaa at a location in Richland County, North Dakota, Case No. PU-09-665.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-10-19
Northern States Power Company
Sales of Renewable Energy Credits
Tariff

Mr. Clark: I move the Commission suspend Northern States Power Company's Fuel Cost Rider filed with its Application to Credit Customers for the Sale of Renewable Energy Credits, Case No. PU-10-19.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-09-204
BNI Coal, Ltd.
Revision 27, Permit BNCR-9702
Approval

Mr. Cramer: I move the Commission conditionally approve Revision No. 27 to Surface Coal Mining Permit No. BNCR-9702, held by BNI Coal, Ltd. for the Center Mine, to extend mining onto a federal coal tract within the existing permit area and to update other information and plans in the permit.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-09-750
Bridger Pipeline LLC
10-inch Crude Oil Pipeline—
McKenzie, Dunn, Billings
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 thirty days, and assess a filing fee of \$100,000 in Case No. PU-09-750, Bridger Pipeline LLC's proposed 10-inch crude oil pipeline in McKenzie, Dunn, and Billings Counties of North Dakota.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-10-21
Goodrich Farmers Co-op Association
License No. 205 - Goodrich, ND
Discontinue Business

Mr. Clark: I move the Commission issue an order in Case No. GE-10-21 cancelling warehouse license number 205 issued to Goodrich Farmers Co-op Association at Goodrich, North Dakota and ordering that business at Goodrich, North Dakota is discontinued effective January 19, 2010.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-10-15
Dean & Gloria Steichen dba
Steichen Farms East Elevator
Grain Warehouse - Goodrich, ND
License Application

Mr. Clark: I move the Commission issue an order in Case No. GE-10-15 granting the request of Dean Steichen and Gloria Steichen doing business as Steichen Farms East Elevator to operate a 389,000-bushel grain warehouse at Goodrich, North Dakota, effective January 19, 2010.

I further move the Commission grant the request of Dean Steichen and Gloria Steichen doing business as Steichen Farms East Elevator to operate the grain warehouse at Goodrich, North Dakota, on an as needed basis.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-10-28
CC Grain, LLC
Grain Warehouse - Goodrich, ND
License Application

Mr. Clark: I move the Commission issue an order in Case No. GE-10-28 granting the request of CC Grain, LLC to operate a 167,000-bushel grain warehouse at Goodrich, North Dakota, effective January 19, 2010.

I further move the Commission grant the request of CC Grain, LLC to operate the grain warehouse at Goodrich, North Dakota, on an as needed basis.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-09-674
Otter Tail Power Company
230 kV Electric Transmission Line –
Sargent Cty
Siting Application

Mr. Clark: I move the Commission deem the application complete and issue a Notice of Filing and Notice of Opportunity for Hearing in Case No. PU-09-674, Otter Tail Power Company’s proposed 230 kV electric transmission line reroute in Sargent County, North Dakota.

Mr. Cramer: I second the motion.
Roll Call: All voting "Aye."

Case No. RR-10-26
BNSF Railway Company
Review of Private RR Crossings
Application

Mr. Clark: I move the Commission issue a Notice of Hearing in BNSF Railway Company’s application for review of the Fraine Barracks railroad crossing (DOT#087680P) in Bismarck, North Dakota, Case No. RR-10-26.

Mr. Cramer: I second the motion.
Roll Call: All voting "Aye."

Case No. RR-10-27
BNSF Railway Company
Review of Private RR Crossings
Application

Mr. Clark: I move the Commission issue a Notice of Hearing in BNSF Railway Company’s application for review of two private railroad crossings near Marvel, North Dakota, Case No. RR-10-27.

Mr. Kalk: I second the motion.
Roll Call: All voting "Aye."

Case No. PU-09-723
United Telephone / Midcontinent
Communications
Interconnection Agreement
Application

Mr. Kalk: I move the Commission adopt the order approving an interconnection agreement negotiated between United Telephone Mutual Aid Corporation and Midcontinent Communications, Case No. PU-09-723.

Mr. Cramer: I second the motion.
Roll Call: All voting "Aye."

Acting Executive Secretary
Designation

Mr. Cramer: I move that Jim Deutsch be authorized to act as Executive Secretary from February 10 – February 12, 2010 in the absence of the Executive Secretary and Illona A. Jeffcoat-Sacco.

Mr. Clark: I second the motion.
Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 11:22 A.M.

Executive Secretary

KEVIN CRAMER, CHAIRMAN