

June 2, 2010

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on June 2, 2010, 10:00 a.m. Present were Commissioners Cramer, Clark and Kalk.

Minutes

Mr. Cramer: I move the minutes of May 12, 18, 20, 2010 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	492.72
Agri Industries, Inc.	19,500.00
Basaraba Excavating & Dirt Works	4,180.00
Brian P. Kalk	281.12
JP Robbins	330.00
Phyllis G. Richter	1,132.67
Leo Praus	1,095.41
Mark Knell	533.93
Michael McNamee	777.33
Timothy Erdmann	645.54
Tim Oswald	211.00
Bruce Beechie	15.00
Dean K. Moos	377.39
Stephan A. Schroeder	22.50
Bruce Johnson	7.50
Ray Kelsch	85.15
Annette Bendish	125.00
Mike Diller	406.50
Illona Jeffcoat-Sacco	194.44
OAH – 4/10	169.95
Attorney General's Office	140.42
JP Morgan Chase & Company	6,515.71

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. WM-10-63
Weights and Measures
Rulemaking

Mr. Cramer: I move the Commission propose the following amendments to the North Dakota Administrative Code, schedule a hearing for 1:30 p.m., on July 14, 2010, issue a Notice of Intent to Amend Administrative Rules and a Notice of Public Hearing, and issue an abbreviated Notice of Intent to Amend Administrative Rules and Notice of Public Hearing for publication in each official county newspaper throughout the state as required by law.

Case No. PU-10-128
Public Utilities - Siting
Rulemaking

Article 69-10 Testing and Safety Division
Article 69-06 Energy Conversion and Transmission
Facility Siting

Case No. PU-10-129
Electric
Rulemaking

Chapter 69-09-08 Renewable Electricity and
Recycled Energy Tracking System

Case No. PU-10-159
Public Utilities - Decommissioning
Rulemaking

Section 69-09-09-06 Decommissioning plan
Section 69-02-01-06 Practice before the
commission.

Case No. AD-10-167
Practice and Procedure
Rulemaking

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

Case No. PU-10-64
Ashtabula Wind III, LLC
60 mW Wind Energy Center –
Barnes County ND
Jurisdictional Determination

Mr. Cramer: I move the Commission acknowledge Ashtabula Wind III, LLC's withdrawal of its request for jurisdictional determination concerning the 60 MW Wind Energy Center in Barnes County of North Dakota, Case No. PU-10-64.

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

Case No. GE-10-137
North Pacific Group, Inc.
dba North Pacific
Roving Grain Buyer - Portland, OR
Discontinue Business

Mr. Cramer: I move the Commission issue an order in Case No. GE-10-137 cancelling roving grain buyer license number 3140 issued to North Pacific Group, Inc. dba North Pacific of Portland, Oregon, 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-10-68
Bridgewell Resources LLC
Roving Grain Buyer - Clackamas, OR
License Application

Mr. Cramer: I move the Commission approve the roving grain buyer license application in Case No. GE-10-68 for Bridgewell Resources, LLC, Clackamas, Oregon, effective immediately.

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

Case No. RC-10-14
Falkirk Mining Company
Revision 19 to Permit NAFK-9503
Approval

Mr. Cramer: I move the Commission adopt the hearing officer's recommended order for the informal conference held in Case No. RC-10-14, the application for Revision No. 19 to Surface Coal Mining Permit NAFK-9503 held by the Falkirk Mining Company.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-10-143
BNI Coal, Ltd.
Notice of Violation No. 1001
Violation

Mr. Cramer: I move the Commission assess a proposed penalty for Notice of Violation No. 1001 issued to BNI Coal, Ltd. and issue a notice of informal conference in the matter.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-10-141
North Star Bean, L.L.C.
License No. 1082 - McCanna, ND
Discontinue Business

Mr. Clark: I move the Commission issue an order in Case No. GE-10-141 cancelling warehouse license number 1082 issued to North Star Bean, L.L.C. at McCanna, North Dakota and ordering that business at McCanna, North Dakota is discontinued effective immediately.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-10-138
Star of the West Milling Company
Grain Warehouse - McCanna, ND
License Application

Mr. Clark: I move the Commission issue an order in Case No. GE-10-138 granting the request of Star of the West Milling Company, Frankenmuth, Michigan, to operate a 672,000-bushel grain warehouse at McCanna, North Dakota, effective immediately.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-10-147
Ashtabula Wind III, LLC
Ashtabula III Wind Energy,
Center - Barnes Cty
Siting Application

Mr. Clark: I move the Commission deem the application complete, conditioned on receiving final turbine locations at least one week prior to hearing, and issue a Notice of Filing and Notice of Hearing in the application of Ashtabula Wind III, LLC for a certificate of site compatibility to authorize construction of a proposed 69 MW wind energy conversion facility in Barnes County, North Dakota, Case No. PU-10-147,

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-10-164
Montana-Dakota Utilities Co.,
a Division of MDU
230kV Transmission Line –
McIntosh & Dickey Cty
Siting Application

Mr. Clark: 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 three months, and assess a filing fee of \$72,500 due upon filing an application in Case No. PU-10-164, Montana-Dakota Utilities Co.'s proposed 230 kV electric transmission line and associated facilities in Dickey and McIntosh Counties of North Dakota.

Mr. Cramer: 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. Kalk: I move the Commission issue a Notice of Opportunity for Hearing in Northern States Power Company's Application for the Sale of Renewable Energy Credits, Case No. PU-10-19.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-10-124
Montana-Dakota Utilities Co.,
a Division of MDU
Electric Rate Increase
Application

WITHDRAWN

Accounting/Budget Specialist III
New Hire

Mr. Cramer: I move the Commission acknowledge the offer to and acceptance of Joshua C. Gallion to fill Position No. 5004, Accounting/Budget Specialist III, effective June 1, 2010, under the terms specified in the May 18, 2010 written offer of employment.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Gas Pipeline Safety Inspector/
Program Manager
New Hire

Mr. Cramer: I move the Commission acknowledge the offer to and acceptance of Bob A. Bachmeier to fill Position No. 5005, Gas Pipeline Safety Inspector/Program Manager, effective June 14, 2010, under the terms specified in the May 20, 2010 written offer of employment.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 11:35 A.M.

Executive Secretary

KEVIN CRAMER, CHAIRMAN