

February 10, 2010

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

Minutes

Mr. Kalk: I move the minutes of January 27, 2010 be approved.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Bills

Mr. Kalk: I move the following bills, as reviewed by the Commission, be approved and paid:

Fireside Office Solutions	3,475.00
Presort Plus	16.65
ND Newspaper Association	1,316.60
Timothy Erdmann	507.62
Stephan A. Schroeder	57.38
Mark Knell	86.80
Bruce Beechie	7.50
Guy Welch	15.00
Michael McNamee	216.30
Wayne Grangaard	682.63
Leo D. Praus	308.13
JP Robbins	543.67
Phyllis G. Richter	675.91
Dakota Sound Systems, Inc.	1,645.00
Anthony T. Clark	232.88
ND Newspaper Association	172.06
OAH – 12/09	2,943.81
OMB – 1/10 supplies	450.53
ITD – 1/10 microfilm	81.90
OMB – 1/10 postage	417.86
DOT – 1/10	7,284.79
ND Geological Survey	2,870.23
ITD – 1/10 ph	1,600.71
ITD – 1/10 dp	3,832.14
JP Morgan Chase & Company	11,539.70

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-10-35
Falkirk Mining Company
Self and Collateral Bond Decrease
Approval

Mr. Kalk: I move the Commission approve stipulations to reduce the amount of Self-Bond SB-9503-1 from \$51,255,000 to \$46,850,400 and Collateral-Bond CB-9503-2 from \$5,695,000 to \$5,205,600. These bonds cover the consolidated bond area that include 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. GE-10-42
Fessenden Cooperative Association
Changing Business Hours
Approval

Mr. Kalk: I move the Commission adopt the Order Changing Business Hours for Fessenden Cooperative Association, Fessenden, North Dakota, to permanently operate its Manfred, North Dakota warehouse on an as-needed, by appointment only basis in Case No. GE-10-42.

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

Case No. GE-10-43
Parent Seed Farms Ltd
Roving Grain Buyer - St. Joseph, MB,
Canada
Discontinue Business

WITHDRAWN

Case No. PU-10-18
Otter Tail Power Company
2010 Renewable Resource Cost
Recovery Adj. Factor
Tariff

Mr. Kalk: I move the Commission adopt the Order Granting Trade Secret Protection in Otter Tail Power Company's 2010 Renewable Resource Cost Recovery Adj. Factor Tariff, Case No. PU-10-18.

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

Case No. PU-10-31
Otter Tail Power Company
Cogeneration – Small Power
Production
Tariff

Mr. Kalk: I move the Commission approve Otter Tail Power Company's updated Cogeneration and Small Power Production Rates, Case No. PU-10-31.

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

Case No. GS-10-41
2010 Natural Gas Pipeline Safety
Certification and Agreement

Mr. Kalk: I move the Commission sign and submit the 2010 Gas Pipeline Safety Certification and Agreement to the U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration, signifying its planned participation in the 2010 gas pipeline safety program year and reporting work performed during 2009.

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

Case No. AM-10-37
Buechler/Velva
2010 Construction
Project

Mr. Cramer: I move the Commission award a Contract to Minot Guaranty and Escrow Company in the amount of \$1,500 for title work associated with the 2010 Buechler/Velva AML construction project.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-10-39
Williams County Road 9
2010 Phase 5 Construction
Project

Mr. Cramer: I move the Commission issue an Intent to Award a Contract and award a Contract to Northwest Abstract and Title, Inc. in the amount of \$300 for title work associated with the Williams County Road 9 Phase 5 AML project.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-07-671
Basin Electric Power Coop Inc.
230 kV Transmission Line /
Williams & Mountrail Co
Siting Application

Mr. Clark: I move the Commission adopt the Findings of Fact, Conclusions of Law and Order issuing corridor certificate and route permit to Basin Electric Power Cooperative for its proposed Williston-Tioga 230 kV electric transmission line in Williams and Mountrail Counties of North Dakota, Case No. PU-07-671.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-09-751
Organic Grain and Milling, Inc.
License No. 1156 - Clyde, ND
Suspension / Revocation

Mr. Clark: I move the Commission adopt the Order Revoking Warehouse License Number 1156 of Organic Grain and Milling, Inc. Boulder, Colorado, at its Clyde, North Dakota, warehouse and order Organic Grain and Milling, Inc. to return grain elevator warehouse license number 1156 to the Commission.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-09-713
FirstLink
211 Designation
Application

Mr. Kalk: I move the Commission adopt the Order Designating 211 Dialing Code User, granting FirstLink's request to use the 211 dialing code in Cass County, North Dakota, Case No. PU-09-713.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-08-907
Northern States Power Company
Advance Determination of Prudence -
Nobles
Application

Mr. Cramer: I move the Commission bill Northern States Power Company for specific costs and expenses incurred in Case No. PU-08-907, Northern States Power Company, Advance Determination of Prudence - Nobles, Application.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-08-908
Northern States Power Company
Advance Determination of Prudence -
Merricourt
Application

Mr. Cramer: I move the Commission bill Northern States Power Company for specific costs and expenses incurred in Case No. PU-08-908, Northern States Power Company, Advance Determination of Prudence - Merricourt, Application; and Case No. PU-08-910, Northern States Power Company, 150 MW Merricourt Wind Project, Public Convenience & Necessity.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-08-910
Northern States Power Company
150 MW Merricourt Wind Project
Public Convenience & Necessity

Case No. PU-09-216
Northern States Power Company
Advance Determination of Prudence -
Bay Front
Application

Mr. Cramer: I move the Commission bill Northern States Power Company for specific costs and expenses incurred in Case No. PU-09-216, Northern States Power Company, Advance Determination of Prudence - Bay Front, Application.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-09-304
North Dakota Telephone Company /
Midcontinent Comm
Interconnection Agreement
Amendment
Application

Mr. Cramer: I move the Commission bill North Dakota Telephone Company and Midcontinent Communications for specific costs and expenses incurred in Case No. PU-09-304, North Dakota Telephone Company/Midcontinent Communications Interconnection Agreement Amendment, Application.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Temporary Approval Requests for
Licensing

Mr. Cramer: I move that Commissioner Tony Clark, portfolio holder for Licensing matters, is authorized to approve license applications and requests to discontinue business upon a satisfactory showing of statutory compliance. I further move that in the event Commissioner Clark is not available, Commissioner Kevin Cramer is so authorized and in the event Commissioner Cramer is not available, Commissioner Brian P. Kalk is so authorized.

I further move that an authorization approved by Commissioner Clark, Cramer, or Kalk is effective only until the Commission acts on the matter at a subsequent Commission Meeting.

I further move that the Licensing Division Director is authorized to approve license capacity change requests upon satisfactory showing of statutory compliance.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 11:14 A.M.

Executive Secretary

KEVIN CRAMER, CHAIRMAN