

March 10, 2010

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

Minutes

Mr. Kalk: I move the minutes of February 24, 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:

AVI Systems, Inc.	190.00
Dell USA L.P.	3,662.40
IMCC	350.00
Wayne Grangaard	675.13
Michael McNamee	1,137.13
William E. Dodd	658.81
Larry K. Nyquist	85.20
JP Robbins	570.37
Leo D. Praus – 2/10 expenses	383.50
Phyllis G. Richter	932.21
Timothy Erdmann	1,024.65
Tim Oswald	7.50
Stephan A. Schroeder	15.00
Bruce Beechie	15.00
Guy Welch	15.00
Presort Plus	8.81
OAH	475.84
OMB – 1/10 ups	8.61
OMB – 2/10 supplies	286.34
ITD – 2/10 microfilm	104.10
OMB – SWICAP	2,753.00
OMB – 2/10 postage	312.35
DOT – 2/10	8,580.03
JP Morgan Chase and Company	5,224.21

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Blaster Certification\Re-Certification
Approval

Mr. Kalk: I move the Commission approve blaster certification and re-certification for the following applicants:

<u>No.</u>	<u>Applicant</u>	<u>Affiliation</u>	<u>Certificate No.</u>
1.	Aaron Jacob Garrett	Freedom Mine	10-02-320
2.	Daniel J. Wettstein	Freedom Mine	10-02-321
3.	Doug Scheeler	Freedom Mine	10-02-322
4.	Jeremiah Hruby	Falkirk Mine	10-02-323
5.	Charles Anderson	Falkirk Mine	10-02-324
6.	Rick Johnson	Falkirk Mine	01-03-247 R(3)
7.	David Beck	Falkirk Mine	01-10-254 R(3)
8.	Shane S. Berg	Falkirk Mine	07-11-298 R(1)
9.	Delvin W. Striha	Falkirk Mine	04-05-269 R(2)
10.	Robert C. Hovdenes	Falkirk Mine	95-09-227 R(5)
11.	Doug J. Stoltz	Falkirk Mine	89-11-162 R(7)
12.	Daryl Bykonen	Falkirk Mine	85-10-049 R(6)
13.	Darcy Kramlich	Falkirk Mine	94-11-224 R(5)
14.	Troy J. Leingang	Falkirk Mine	07-11-300 R(1)
15.	Jesse C. Rust	Beulah Mine	10-02-325
16.	Shane Haugen	Beulah Mine	10-02-326
17.	Jonathan M.Reinhardt	Beulah Mine	10-02-327
18.	William Keller III	Beulah Mine	10-02-328
19.	David Czywczynski	Beulah Mine	07-03-293 R(1)
20.	Curtis McLaughlin	Beulah Mine	04-11-274 R(2)
21.	Robert A. Ell Jr.	Beulah Mine	07-03-292 R(1)
22.	Larry L. Schnaidt	Beulah Mine	85-12-066 R(7)
23.	Tim Faut	Beulah Mine	07-03-296 R(1)
24.	Casey O'Neil	Beulah Mine	89-11-165 R(7)
25.	Wayne Cline	Beulah Mine	01-03-250 R(3)
26.	Michael Doll	Beulah Mine	07-03-295 R(1)
27.	DeLane L. Bauer	Beulah Mine	01-03-249 R(3)

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-10-50
Branford Auctions, LLC
Auction Clerk
License Application

Mr. Kalk: I move the Commission approve the auction clerk license application for Branford Auctions, LLC, Branford, Connecticut.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-10-61
Benjamin Lacina
Auctioneer
License Application

Mr. Kalk: I move the Commission approve the auctioneer license application for Benjamin Lacina, Oakes, North Dakota.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-08-640
Falkirk Mining Company
Revision No. 13, Permit NAFK - 9601
Approval

Mr. Cramer: I move the Commission conditionally approve Revision No. 13 to Surface Coal Mining Permit No. NAFK-9601, held by the Falkirk Mining Company, to change the postmining land use on 428 acres to recreational use and to update other information and plans in the permit.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-09-587
Allete, Inc.
230 kV Transmission Line –
Morton/Oliver Counties
Siting Application

Mr. Clark: I move the Commission adopt the Findings of Fact, Conclusions of Law and Order issuing Corridor Certificate No. 113 and Route Permit No. 123 to Allete, Inc. for its 230 kV electric transmission line in Morton and Oliver Counties of North Dakota, Case No. PU-09-587.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-09-731
Montana-Dakota Utilities Co.,
a Division of MDU
Discontinue Prudence Big Stone II
Application

Mr. Clark: I move the Commission issue a Notice of Hearing in Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., Discontinue Prudence Big Stone II, Application, Case No. PU-09-731; Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., Deferred Accounting – Big Stone II, Application, Case No. PU-09-733; Otter Tail Power Company, Deferred Accounting – Big Stone II, Application, Case No. PU-09-739; and Otter Tail Power Company, Discontinue Prudence - Big Stone II, Application, Case No. PU-10-30.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-09-733
Montana-Dakota Utilities Co.,
a Division of MDU
Deferred Accounting - Big Stone II
Application

Case No. PU-09-739
Otter Tail Power Company
Deferred Accounting – Big Stone II
Application

Case No. PU-10-30
Otter Tail Power Company
Discontinue Prudence Big Stone II
Application

Case No. PU-10-20
Turtle Mountain Communications /
Midcontinent Comm
Interconnection Agreement
Application

Mr. Kalk: I move the Commission adopt the order approving an interconnection agreement negotiated between Turtle Mountain Communications and Midcontinent Communications, Case No. PU-10-20.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Testing and Safety Division
Chief Inspector
Resignation

Mr. Cramer: I move the Commission accept, with regrets, the resignation of Kevin Hanson effective March 12, 2010.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No PU-10-52
Montana-Dakota Utilities Co.,
a Division of MDU
Therm Billing Factors 2010
Reports

Mr. Clark: I move the Commission request intervention as its interest may appear in Federal Energy Regulatory Commission Docket EL10-41, Case No. PU-10-52.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Testing and Safety Division
Weights and Measures Program
Manager/Inspector
Interim Appointment

Mr. Cramer: I move the Commission appoint J. P. Robbins as Interim Weights and Measures Program Manager/Inspector effective March 15, 2010, until a final decision is made concerning this position.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 11:15 A.M.

Executive Secretary

KEVIN CRAMER, CHAIRMAN