

November 2, 2010

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

Minutes

Mr. Cramer: I move the minutes of October 20, 2010 be approved.

Mr. Clark: 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:

Office of Administrative Hearings	2,084.60
ND Geological Survey	222.26
Western Steel & Plumbing, Bismarck	321.94
MVTL Laboratories, Inc.	39.00
Dakota Sound Systems, Inc.	3,730.00
Leo D. Praus	293.16
Titus Excavating, Inc.	20,975.00
OMB – FY 11 Risk Management Fund	2,709.33
ND Newspaper Association	123.20
Michael McNamee	701.32
Timothy Erdmann	703.47
Brian P. Kalk	195.79
Mark Knell	521.71
Tim Oswald	97.50
Bruce Beechie	7.50
William T. Gunnerson	159.67
Stephan A. Schroeder	30.00
Bruce Johnson	15.00
William E. Dodd	326.02
Guy Welch	15.00
Dean K. Moos	795.45
Raymond Kelsch	996.38
Bradley Lavold	1,583.33
Scott Sheldon	202.46
Patrick Fahn	15.00
Phyllis G. Richter	851.20
JP Robbins	639.12
Bob A. Bachmeier	710.13
Wayne Grangaard	798.71
JP Morgan Chase and Company	4,747.51

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

EPA Proposed Coal Ash Rules
Comments

Mr. Cramer: I move the Commission acknowledge the October 25, 2010 letter that was sent to the U.S. Environmental Protection Agency with comments on proposed rules to regulate the disposal of coal combustion residues.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-10-123
Request for Proposals for Siting
Inspections
Contract

Mr. Cramer: I move the Commission issue contracts for post-construction inspection services to Keitu Engineers & Consultants, Inc. and Wenck Associates, Inc., Case No. PU-10-123.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-10-611
LDC Holding Inc.
Roving Grain Buyer - Minneapolis, MN
License Application

Mr. Cramer: I move the Commission approve the roving grain buyer license application in Case No. GE-10-611 for LDC Holding Inc., Minneapolis, Minnesota, effective December 1, 2010.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

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

Mr. Cramer: I move the Commission issue a utility valuation application fee refund to Otter Tail Power Company in the amount of \$9,416.75, Case No. PU-10-18.

Mr. Clark: 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. Cramer: I move the Commission issue a utility valuation application fee refund to Northern States Power Company in the amount of \$9,887.21, Case No. PU-10-19.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-10-550
Otter Tail Power Company
Plains, Grain and Agronomy LLC-
Ransom Cty
Public Convenience & Necessity

Mr. Cramer: I move the Commission adopt the Order and issue a Certificate of Public Convenience and Necessity authorizing Otter Tail Power Company to extend electric service to Plains, Grain and Agronomy LLC at a location in Ransom County, North Dakota, Case No. PU-10-550.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-10-563
Otter Tail Power Company
Terry Mertz - Wells County
Public Convenience & Necessity

Mr. Cramer: I move the Commission adopt the Order and issue a Certificate of Public Convenience and Necessity authorizing Otter Tail Power Company to extend electric service to Terry Mertz at a location in Wells County, North Dakota, Case No. PU-10-563.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-10-615
Montana-Dakota Utilities Co.,
a Division of MDU
Whiting Oil & Gas Corporation –
Stark County
Public Convenience & Necessity

Mr. Cramer: I move the Commission issue a Notice of Opportunity for Hearing in the application of Montana-Dakota Utilities Co. for a certificate of public convenience and necessity to extend electric service to Whiting Oil & Gas Corporation at a location in Stark County, North Dakota, Case No. PU-10-615.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-10-555
Hiland Operating, LLC
8-Inch Nat. Gas Main & Lateral
Pipeline
Siting Application

Mr. Cramer: I move the Commission deem the applications complete and issue a Notice of Filing and Notice of Hearing in the request of Hiland Operating, LLC for a waiver of procedures and time schedules, a corridor certificate and a route permit for the construction of a crude oil pipeline in McKenzie County of North Dakota, Case No. PU-10-555.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-10-612
Enbridge Pipelines (North Dakota) LLC
Bakken Pipeline Project US –
Ward & Burke Counties
Siting Applications

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 two weeks, and assess a filing fee of \$100,000 in Case No. PU-10-612, Enbridge Pipelines (North Dakota) LLC's proposed crude oil pipeline in Ward and Burke Counties, North Dakota.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-10-613
Enbridge Pipelines (North Dakota) LLC
Beaver Lodge Loop Project –
Williams, Mountrail & Ward Counties
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 three weeks, and assess a filing fee of \$100,000 in Case No. PU-10-613, Enbridge Pipelines (North Dakota) LLC's proposed crude oil pipeline in Williams, Mountrail and Ward Counties, North Dakota.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-08-797
Sequoia Energy US Inc.
150MW Border Winds Energy Project -
Rolette County
Siting Application

Mr. Clark: I move the Commission issue a Notice of Hearing regarding Sequoia Energy US Inc.'s revised site plan for its proposed 150 MW wind energy conversion facility in Rolette County, North Dakota, Case No. PU-08-797.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-10-506
Montana-Dakota Utilities Co.,
a Division of MDU
230 kV Transmission System
Public Convenience & Necessity

Mr. Clark: I move the Commission adopt the Order Granting Certificate in the application of Montana-Dakota Utilities Co. for a certificate of public convenience and necessity to construct approximately 30 miles of 230 kV electric transmission line and associated facilities in Dickey and McIntosh Counties of North Dakota, Case No. PU-10-506.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-10-498
Grabanski Grain, LLC
Grain Warehouse
Insolvency

Mr. Clark: I move the Commission issue an order in Case No. GE-10-498 cancelling warehouse license number 1191 issued to Grabanski Grain, LLC at Grafton, North Dakota and ordering that business at Grafton, North Dakota is ceased and Grabanski Grain, LLC shall not conduct any further business under license number 1191.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GS-10-616
2011 One-Call Grant
Application

Mr. Kalk: I move the Commission submit the calendar year 2011 One-Call Grant Application in the amount of \$10,000, Case No. GS-10-616.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-10-574
Standing Rock Telecommunications,
Inc.
ETC Designated Service Area
Application

Mr. Kalk: I move the Commission file comments regarding the petition of Standing Rock Telecommunications, Inc. for reconsideration of the FCC's August 24, 2010 in WC Docket 09-197 requiring state confirmation of a redefinition of West River Telecommunications Cooperative's rural service area, Case No. PU-10-574.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-10-603
Great Plains Natural Gas Co.
Highway 13 Natural Gas Extension -
Wahpeton
Tariff

Mr. Kalk: I move the Commission approve the revised tariffs for Great Plains Natural Gas Co. Highway 13 Natural Gas Extension - Wahpeton, North Dakota, Case No. PU-10-603.

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

Post Probationary Period Salary
Adjustment

Mr. Cramer: I move the approval of a salary increase effective November 1, 2010 for Position No. 5009, upon the satisfactory completion of a six month probationary period, in an amount consistent with the terms set forth in the Commission's April 27, 2010 offer of employment.

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

Case No. PU-10-387
Turtle Mountain Comm., Inc. /
Midcontinent Comm. Interconnection
Agreement Amendment
Application

Mr. Cramer: I move the Commission bill Turtle Mountain Communications & Midcontinent Communications for specific costs and expenses incurred in Case No. PU-10-387, Turtle Mountain Communications/Midcontinent Communications, Interconnection Agreement Amendment, Application.

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

New Hire – Attorney I

Mr. Cramer: I move the Commission acknowledge the offer to and acceptance of Mark Edward Gruman to fill Position No. 5029, Attorney I, effective October 28, 2010, under the terms specified in the October 13, 2010 written offer of employment.

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

New Hire - Public Utility Analyst

Mr. Cramer: I move the Commission acknowledge the offer to and acceptance of Christopher Marohl to fill Position No. 27148, Public Utility Analyst, effective November 15, 2010, under the terms specified in the October 29, 2010 written offer of employment.

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

ATTEST

THE COMMISSION ADJOURNED AT 11:47 A.M.

Executive Secretary

KEVIN CRAMER, CHAIRMAN