

December 8, 2010

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on December 8, 2010, 02:30 p.m. Present were Commissioners Cramer, Clark and Kalk.

Minutes

Mr. Cramer: I move the minutes of November 24, 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:

City Air Mechanical, Inc.	1,142.68
ND Newspaper Association	430.39
Otter Tail Power Company	122,870.83
Northern States Power Company	121,320.24
Executive Air Taxi Corp.	1,922.75
Presort Plus	40.34
Basaraba Excavating & Dirt Works	15,317.50
GEOSERV, INC.	27,335.00
B & C Concrete Pumping, Inc.	217,923.00
Felhaber Larson Fenlon & Vogt	16,376.38
Smith Bakke Porsborg Schweigert & Armstrong	443.40
Stephan A. Schroeder	15.00
Tim Oswald	47.50
William E. Dodd	130.87
Jim Deutsch	15.00
Michael McNamee	1,027.65
Mark Knell	344.35
Bruce Beechie	7.50
Bruce Johnson	7.50
Guy Welch	15.00
Leo Praus	484.98
Phyllis G. Richter	847.98
JP Robbins	660.36
Bob A. Bachmeier	575.38
Timothy Erdmann	1,090.56
Wayne Grangaard	839.80
NDPERS – insurance	137.18
OAH	2,233.68
OMB – workers comp	250.00
OMB – 11/10 supplies	692.12
OMB – 11/10 printing	12.00
OMB – 11/10 postage	605.31

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-10-634  
Northland Auction and Storage, Inc.  
Auction Clerk  
License Application

Mr. Cramer: I move the Commission approve the auction clerk license application for Northland Auction and Storage, Inc., Mandan, North Dakota, effective January 1, 2011.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-10-490  
Qwest Corporation  
Fargo Rate Center  
Numbering Resources

Mr. Cramer: I move the Commission adopt the Order Granting Trade Secret Protection in Qwest Corporation's application for numbering resources in the Fargo rate center, Case No. PU-10-490.

Mr. Kalk: 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. Cramer: I move the Commission issue a utility valuation application fee refund to Great Plains Natural Gas Co. in the amount of \$1,000, Case No. PU-10-603.

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 deem the applications complete and issue a Notice of Filing and Notice of Hearing in the request of Enbridge Pipelines (North Dakota) LLC for waiver of procedures and time schedules, corridor certificate, and a route permit for the construction of approximately 11 miles of 12-inch crude oil pipeline, to authorize construction of a new pumping station located near Kenaston, a new pump station near Lignite and station modifications at its existing Berthold Pump Station, all in Burke and Ward Counties, North Dakota, Case No. PU-10-612.

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 deem the applications complete and issue a Notice of Filing and Notice of Hearing in the request of Enbridge Pipelines (North Dakota) LLC for waiver of procedures and time schedules, corridor certificate, and a route permit for the construction of approximately 56 miles of 16-inch crude oil pipeline from its Beaver Lodge Station to its Berthold Station and to authorize construction of upgrades at its Beaver Lodge Station, Stanley Station and Berthold Station, all in Williams, Mountrail, and Ward Counties, North Dakota, Case No. PU-10-613.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-10-637  
Rangeland Energy, LLC  
Crude Oil Pipeline - Williams County  
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 seven weeks, and assess a filing fee of \$75,000 in Case No. PU-10-637, Rangeland Energy, LLC's proposed 8-inch crude oil pipeline in Williams County of North Dakota.

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

Case No. PU-09-370  
CPV Ashley Renewable Energy  
Company, LLC  
Ashley Wind Power - Power Project -  
McIntosh Cty  
Siting Application

Mr. Clark: I move the Commission adopt the Findings of Fact, Conclusions of Law and Order issuing Certificate of Site Compatibility for Energy Conversion Facility No. 20 to CPV Ashley Renewable Energy Company, LLC authorizing construction of a proposed 200.1 MW Ashley Wind Energy Project in McIntosh County, North Dakota, Case No. PU-09-370.

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

Case No. PU-10-632  
M-Power, LLC  
Luverne Northfield Extension Wind  
Energy Project  
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 six months, and assess a filing fee of \$100,000 due upon filing an application in Case No. PU-10-632, M-Power, LLC's proposed 145.5 MW wind energy conversion facility in Steele County, North Dakota.

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

Case No. GS-08-765  
Northern States Power Company  
Gas Safety - Fargo, ND  
Inspection

Mr. Kalk: I move the Commission adopt the Order Adopting Settlement in Northern States Power Company's gas safety inspection of its system in Fargo, North Dakota, Case No. PU-08-765.

Mr. Cramer: 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. Kalk: I move the Commission issue a Notice of Hearing in the matter of Montana-Dakota Utilities Co.'s application for a certificate of public convenience and necessity to provide electric service to a natural gas plant to be constructed in Stark County near Belfield, North Dakota, Case No. PU-10-615.

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 December 7, 2010 for Position No. 5032, upon the satisfactory completion of a six month probationary period, in an amount consistent with the terms set forth in the Commission's June 1, 2010 offer of employment plus the 5% increase granted all non-probationary employees on July 1, 2010 as budgeted for and as provided for in House Bill 1015, Section 11 of the Sixty-first Legislative Assembly.

Mr. Kalk: 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 December 1, 2010 for Position No. 5004, upon the satisfactory completion of a six month probationary period, in an amount consistent with the terms set forth in the Commission's May 18, 2010 offer of employment plus the 5% increase granted all non-probationary employees on July 1, 2010 as budgeted for and as provided for in House Bill 1015, Section 11 of the Sixty-first Legislative Assembly.

Mr. Kalk: 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 December 14, 2010 for Position No. 5005, upon the satisfactory completion of a six month probationary period, in an amount consistent with the terms set forth in the Commission's May 20, 2010 offer of employment plus the 5% increase granted all non-probationary employees on July 1, 2010 as budgeted for and as provided for in House Bill 1015, Section 11 of the Sixty-first Legislative Assembly.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Discontinue Temporary Employment

Mr. Cramer: I move the Commission discontinue the temporary hire of Alan G. Moch, Position No. 408-27732, Gas Pipeline Safety Inspector, effective December 16, 2010.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-08-932  
enXco Development Corporation  
Merricourt Wind Power Project  
Siting Application

Mr. Cramer: I move the Commission retain Mitchell D. Armstrong to provide legal services to assist the Commission in processing Case No. PU-08-932.

Mr. Clark: 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 Application

Mr. Cramer: I move the Commission retain Mitchell D. Armstrong to provide legal services to assist the Commission in processing Case No. PU-10-612.

Mr. Clark: 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 retain Mitchell D. Armstrong to provide legal services to assist the Commission in processing Case No. PU-10-613.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AD-10-576  
Public Service Commission  
Sixty-second Legislative Session  
(2011)  
Misc. Cases

Mr. Clark: I move the Commission submit the following pre-filed bill draft to the Legislative Council for the Sixty-second Legislative Assembly of North Dakota: Licensing: Amend and reenact section 51-05.1-04 of the North Dakota Century Code, relating to auctioneer and auctioneer clerk definitions, and internet auctions.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 4:15 P.M.

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Executive Secretary

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KEVIN CRAMER, CHAIRMAN