

March 18, 2011

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on March 18, 2011, 10:00 a.m. Present were Commissioners Cramer, Clark and Kalk.

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

Mr. Clark: I move the Commission issue a Corrected Notice of Filing and Notice of Hearing in the application of Montana-Dakota Utilities Co. for a waiver of procedures and time schedules, a corridor certificate and a route permit to construct approximately 30 miles of 230 kV electric transmission line and associated facilities in McIntosh & Dickey Counties of North Dakota, Case No. PU-10-164.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

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

Mr. Clark: I move the Commission issue a Notice of Filing and Notice of Hearing in the application of enXco Development Corporation for a certificate of site compatibility to authorize construction of a proposed 150 MW wind energy conversion facility in Dickey and McIntosh Counties of North Dakota, Case No. PU-08-932.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Mr. Clark: The next item on the agenda is to discuss with legal counsel and staff, for the purpose of attorney consultation, an offer from the bonding company for completing the 2010 Buechler/Velva AML project, Case No. AM-10-37.

At this time, a motion would be in order to discuss the next topic in executive session rather than in an open meeting. Is there such a motion?

Mr. Cramer: I make the motion.

Mr. Kalk: I second the motion.

Mr. Clark: Any discussion on the motion?

Roll Call: All voting "Aye."

Mr. Clark: The executive session will be recorded and all members of the governing body are reminded to limit their discussion during the executive session to the announced topic. Any collective decision, collective commitment, or other final action by the governing body must occur after it reconvenes in an open meeting, unless final action is specifically required by law to be taken during the executive session. The prohibition on taking final action during the executive session does not

apply to providing guidance or instructions to our attorney or negotiator.

We will now ask the members of the public who are attending the meeting to leave the room. We anticipate adjourning the executive session, and reconvening the open portion of the meeting, at approximately 11:00 a.m. this morning, March 18, 2011.

The minutes will show that the executive session began at 10:45 a.m. and was attended by North Dakota Public Service Commissioners Kevin Cramer, Tony Clark and Brian Kalk, along with Mitch Armstrong, Mark Gruman, James Deutsch, William Dodd, Mark Knell, Esther Jangula and Josh Gallion.

Mr. Clark: The minutes will show that the executive session was adjourned at 11:10 a.m. The public has been invited to return to the meeting room and we are now back in open session.

ATTEST

THE COMMISSION ADJOURNED AT 11:12 A.M.

Executive Secretary

TONY CLARK, CHAIRMAN