

March 24, 2011

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on March 24, 2011, 10:40 a.m. Present were Commissioners Cramer, Clark and Kalk.

Minutes

Mr. Cramer: I move the minutes of March 9, 18, 2011 be approved.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-11-82  
Arthur Hagebock  
Auctioneer  
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Arthur Hagebock, LaMoure, North Dakota.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-11-35  
Cooperative Regions of Organic  
Producer Pools  
Roving Grain Buyer - LaFarge, WI  
License Application

Mr. Cramer: I move the Commission approve the roving grain buyer license application in Case No. GE-11-35 for Cooperative Regions of Organic Producer Pools, LaFarge, Wisconsin, effective immediately.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-10-567  
Montana-Dakota Utilities Co.,  
a Division of MDU  
Randy Neset - Williams County  
Public Convenience & Necessity

Mr. Cramer: I move the Commission adopt the Order and issue a Certificate of Public Convenience and Necessity authorizing Montana-Dakota Utilities Co. to extend electric service to Randy Neset at a location in Williams County, North Dakota, Case No. PU-10-567.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-36  
Montana-Dakota Utilities Co.,  
a Division of MDU  
EOG Resources - Mountrail County  
Public Convenience & Necessity

Mr. Cramer: I move the Commission adopt the Order and issue a Certificate of Public Convenience and Necessity authorizing Montana-Dakota Utilities Co. to extend electric service to EOG Resources at a location in Mountrail County, North Dakota, Case No. PU-11-36.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-38  
Montana-Dakota Utilities Co.,  
a Division of MDU  
American Oil and Gas - Williams  
County  
Public Convenience & Necessity

Mr. Cramer: I move the Commission adopt the Order and issue a Certificate of Public Convenience and Necessity authorizing Montana-Dakota Utilities Co. to extend electric service to the American Oil and Gas at a location in Williams County, North Dakota, Case No. PU-11-38.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-10-327  
Organic Grain and Milling, Inc.  
Grain Warehouse  
Insolvency

Mr. Clark: I move the Commission file the Report and Recommendation of Trustee with District Court, recommending that the trust fund proceeds in this case be distributed to the claimant based upon his valid cash sale claim, that proceeds from the credit-sale contract indemnity be distributed among the claimants based upon their valid credit-sale contract claims, and that the Commission's expenses be paid as provided by state law.

I further move that once court approval is obtained, claimants be paid as soon as possible in Organic Grain and Milling, Inc., Grain Warehouse, Insolvency, Case No. GE-10-327.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-09-670  
Minnkota Power Cooperative, Inc.  
345 kV Transmission Line –  
Center to Grand Forks  
Siting Application

Mr. Clark: I move the Commission issue a Notice of Filing and Notice of Hearings in the application of Minnkota Power Coop, Inc. for a Certificate of Corridor Compatabilty for its proposed 345 kV electric transmission line from Center to Grand Forks, North Dakota. Case No. PU-09-670

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-10-124  
Montana-Dakota Utilities Co.,  
a Division of MDU  
Electric Rate Increase  
Application

Mr. Kalk: I move the Commission issue a Notice Hearing and Notice of Intent to Consider Information Not Presented at a Hearing in Montana-Dakota Utilities Co.'s electric rate increase application, Case No. PU-10-124.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-10-657  
Northern States Power Company  
2011 Electric Rate Increase  
Application

Mr. Kalk: I move the Commission issue the Notice of Hearing, Notice of Intervention Deadline, and Notice of Public Input Sessions in Northern States Power Company's electric rate increase applications, Case No.'s. PU-10-657 and PU-11-55.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-55  
Northern States Power Company  
2012 Electric Rate Increase  
Application

Case No. RC-08-694  
BNI Coal, Ltd.  
Bond Release 7, Permit BNCR - 8106  
Approval

Mr. Cramer: I move the Commission adopt the hearing officer's Recommended Order of Dismissal for the formal hearing that was requested in Case No. RC-08-694, Bond Release No. 7 to Surface Coal Mining Permit BNCR-8106 held by BNI Coal, Ltd. for the Center Mine, making the bond release effective December 27, 2010.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-10-637  
Rangeland Pipeline, LLC  
Crude Oil Pipeline - Williams County  
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 Rangeland Pipeline, LLC for a waiver of procedures and time schedules, a corridor certificate and a route permit for the construction of approximately 20 miles of crude oil pipeline in Williams County, North Dakota, Case No. PU-10-637.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-10-651  
Coteau Properties Company  
Renewal No. 4, Permit NACT-9001  
Approval

Mr. Cramer: I move the Commission approve Renewal No. 4 to Surface Coal Mining Permit No. NACT-9001, held by The Coteau Properties Company for the Freedom Mine, to extend the permit term for an additional five years until April 16, 2016.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-10-666  
Bear Paw Energy, LLC  
Gas Processing Plants –  
Williams County  
Siting Application

Mr. Cramer: I move the Commission deem the application complete and issue a Notice of Filing and Notice of Hearing in the request of Bear Paw Energy, LLC for a certificate of site compatibility for the construction and operation of two 100 million standard cubic feet per day gas processing plants in Williams County, North Dakota, Case No. PU-10-666.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-66  
Bear Paw Energy, LLC  
Garden Creek to Riverview NGL  
Pipeline, McKenzie  
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 30 days, and assess a filing fee of \$100,000 due upon filing an application in Case No. PU-11-66, Bear Paw Energy, LLC's proposed natural gas liquids pipeline in McKenzie County, North Dakota.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

AML Seasonal Construction Inspectors

Mr. Cramer: I move the Commission hire Raymond Kelsch and Bradley Lavold for seasonal part-time employment as Construction Inspectors for the AML Division with a period of employment starting on or after April 4, 2011, and ending no later than November 30, 2011, at a salary of \$16.50 per hour plus time and a half for hours in excess of the standard 40 hour work week.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-06-513  
Public Service Commission  
Inter-Carrier Compensation  
Investigation

Mr. Kalk: I move to file the comments drafted by Patrick Fahn for Commissioners' signatures in case number FCC 11-13, Notice of Proposed Rulemaking, and docket in Case No. PU-06-513.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 12:15 P.M.

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Executive Secretary

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TONY CLARK, CHAIRMAN