

April 20, 2011

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on April 20, 2011, 10:00 a.m. Present were Commissioners Clark, Kalk and Cramer.

Minutes

Mr. Cramer: I move the minutes of April, 6, 14, 15, 2011 be approved.

Mr. Kalk: 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. Cramer: I move the Commission request legal assistance from the Office of the Attorney General in the application of Minnkota Power Coop, Inc. for a Certificate of Corridor Compatibility for its proposed 345 kV electric transmission line from Center to Grand Forks, North Dakota, Case No. PU-09-670.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-09-676  
Otter Tail Power Company  
Advance Determination of Prudence-  
CapX2020 Group 1  
Application

Mr. Cramer: I move the Commission rescind its November 24, 2010 motion issuing a utility valuation application fee refund to Otter Tail Power Company in the amount of \$122,870.83, Case No. PU-09-676.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-09-678  
Northern States Power Company  
Advance Determination of Prudence-  
CapX2020 Group 1  
Application

Mr. Cramer: I move the Commission rescind its November 24, 2010 motion issuing a utility valuation application fee refund to Northern States Power Company in the amount of \$121,320.24, Case No. PU-09-678.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-11-85  
Central Plains Ag Services, LLC  
Roving Grain Buyer - Hannaford, ND  
License Application

Mr. Cramer: I move the Commission approve the roving grain buyer license application in Case No. GE-11-85 for Central Plains Ag Services, LLC, Hannaford, North Dakota, effective immediately.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-11-110  
Leland Buller  
Auctioneer  
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Leland Buller, Wing, North Dakota.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-11-111  
Merwyn Krein  
Auction Clerk  
License Application

Mr. Cramer: I move the Commission approve the auction clerk license application for Merwyn Krein, Goodrich, North Dakota.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-11-113  
Roger Hansen  
Auctioneer  
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Roger Hansen, Prairie Farm, Wisconsin.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-11-112  
Thompsons USA Limited  
License No. 1237 - Grand Forks, ND  
Discontinue Business

Mr. Clark: I move the Commission issue an order in Case No. GE-11-112 cancelling warehouse license number 1237 issued to Thompsons USA Limited at Grand Forks, North Dakota and ordering that business at Grand Forks, North Dakota is discontinued effective immediately.

Mr. Kalk: 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 deem the application complete and issue a Notice of Rescheduled Hearings in the application of Minnkota Power Coop, Inc. for a Certificate of Corridor Compatibility for its proposed 345 kV electric transmission line from Center to Grand Forks, North Dakota, Case No. PU-09-670.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-09-724  
Oliver Wind III, LLC  
230 kV Transmission Line –  
Oliver & Morton  
Siting Application

Mr. Clark: I move the Commission adopt the Findings of Fact, Conclusions of Law and Order issuing Certificate of Site Compatibility for Transmission Facility Corridor No. 117 and Route Permit No. 127 to Oliver Wind III, LLC authorizing construction of approximately 9.5 miles of 230 kV electric transmission line and associated facilities in Morton and Oliver Counties of North Dakota, Case No. PU-09-724.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-86  
New Cingular Wireless PCS, LLC  
Designated Eligible Carrier  
Application

Mr. Kalk: I move the Commission issue a Notice of Opportunity for Hearing and Notice of Informal Hearing in the application of New Cingular Wireless PCS, LLC for designation as an Eligible Telecommunications Carrier for federal universal service support in Western North Dakota exchanges, Case No. PU-11-86.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-10-633  
Lakeside Construction –  
Richard Strand Owner  
Damage Prevention Enforcement

WITHDRAWN

Case No. RC-10-40  
Basin Cooperative Services  
Bond Release No. 3,  
Permit CCGH-8003  
Approval

Mr. Cramer: I move the Commission approve Bond Release No. 3 for Surface Coal Mining Permit CCGH-8003, held by Basin Cooperative Services for the Glenharold Mine, to release all reclamation liabilities on 1,018.54 acres of land located in portions of Sections 9, 10, 15 and 16, T143N, R84W, Oliver County. The amount of the bond release is \$2,359,795 and it will become effective May 20, 2011, unless a formal hearing is requested.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-99  
Arrow Field Services, LLC  
4 Bears to CDP Connect Project -  
McKenzie 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 two months, and assess a filing fee of \$10,000 due upon filing an application in Case No. PU-11-99, Arrow Pipeline, LLC's proposed crude oil pipeline in McKenzie County, North Dakota.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-102  
Whiting Oil and Gas Corporation  
Crude Oil Pipeline - Billings 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 30 days, and assess a filing fee of \$15,000 due upon filing an application in Case No. PU-11-102, Whiting Oil and Gas Corporation proposed crude oil pipeline in Billings County, North Dakota.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-104  
Hess Corporation  
LPG Pipelines - 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 one month, and assess a filing fee of \$25,000 due upon filing an application in Case No. PU-11-104, Hess Corporation proposed natural gas liquids pipeline in Williams County, North Dakota.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-109  
Vantage Pipeline US LP  
Natural Gas Liquids Pipeline –  
Williams and Divide  
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-11-109, Vantage Pipeline US LP proposed natural gas liquids pipeline in Williams and Divide Counties, North Dakota.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 11:10 A.M.

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Executive Secretary

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TONY CLARK, CHAIRMAN