

August 10, 2011

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

Minutes

Mr. Cramer: I move the minutes of July 27, August 3, 2011 be approved.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-07-671  
Basin Electric Power Coop Inc.  
230 kV Transmission Line /  
Williams & Mountrail Co  
Siting Application

Mr. Cramer: I move the Commission approve Basin Electric Power Cooperative's Tree and Shrub Replacement plan filed May 18, 2011 and amended August 3, 2011 in Case No. PU-07-671.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-09-668  
Baldwin Wind, LLC  
102 MW Baldwin Wind Energy Center -  
Burleigh Cty.  
Siting Application

Mr. Cramer: I move the Commission approve Baldwin Wind, LLC's Tree and Shrub Replacement Plan filed July 20, 2011 in Case No. PU-09-668.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-11-528  
Riverside Communications, Inc.  
dba Great Northern  
Roving Grain Buyer - Plaza, ND  
Discontinue Business

Mr. Cramer: I move the Commission adopt an order in Case No. GE-11-528 cancelling roving grain buyer license number 3137 issued to Riverside Communications, Inc. dba Great Northern Ag of Plaza, North Dakota, and ordering that all North Dakota roving grain buyer activities be discontinued effective August 1, 2011.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-11-529  
Patrick E. Ryan  
Roving Grain Buyer - Hannah, ND  
Discontinue Business

Mr. Cramer: I move the Commission adopt an order in Case No. GE-11-529 cancelling roving grain buyer license number 3157 issued to Patrick E. Ryan of Hannah, North Dakota, and ordering that all North Dakota roving grain buyer activities be discontinued effective August 1, 2011.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-11-218  
North Dakota Oilseed Mills, LLC  
License Renewal Year 2011  
Annual Activity

Mr. Cramer: I move the Commission adopt the Order Granting Protection of Information in North Dakota Oilseed Mills, LLC, License Renewal Year 2011, Annual Activity, Case No. GE-11-218.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

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

Mr. Cramer: I move the Commission acknowledge the withdrawal by Standing Rock Telecommunications, Inc. of its application for a redefinition of an essential telecommunications carrier designated service area to match the area within the boundaries of the Standing Rock Sioux Reservation, Case No. PU-10-574.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-459  
Montana-Dakota Utilities Co.,  
a Division of MDU  
Colby Well - Morton 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. to extend electric service to Colby Well at a location in Morton County, North Dakota, Case No. PU-11-459.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-462  
Montana-Dakota Utilities Co.,  
a Division of MDU  
Southwest Grain - Morton 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. to extend electric service to Southwest Grain at a location in Morton County, North Dakota, Case No. PU-11-462.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Blaster Certification\Re-Certification  
Approval

Mr. Cramer: I move the Commission approve blaster certification or re-certification for the following applicants:

No.	Applicant	Affiliation	Certificate No.
1.	Clemens Schmitt	Falkirk Mine	11-05-331
2.	Dennis Keller	Falkirk Mine	11-05-332
3.	John Schwartz	Falkirk Mine	08-05-304 R(1)
4.	Bryce Eckholm	Falkirk Mine	08-09-306 R(1)
5.	Rod Zeien	Falkirk Mine	02-11-262 R(3)

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-57  
Allete, Inc.  
Bison 2 Wind Project –  
Oliver-Morton Counties  
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. 24 to ALLETE, Inc., authorizing construction of a 105 MW Bison 2 Wind project in Morton and Oliver Counties of North Dakota, Case No. PU-11-57.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-162  
Allete, Inc.  
Bison 3 Wind Project –  
Oliver - Morton Counties  
Siting Application

Mr. Clark: I move the Commission deem the application complete conditioned on filing of final turbine locations by September 8, 2011 and issue a Notice of Filing and Notice of Hearing in Case No. PU-11-162, ALLETE, Inc.'s application for a certificate of site compatibility to construct a proposed 105 MW Bison 3 Wind Project in Morton and Oliver Counties, North Dakota.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-11-379  
Earth Harvest Mills, Inc.  
dba Dakota Prairie Organ  
License No. 1155 - Harvey, ND  
Suspension

Mr. Clark: I move the Commission adopt the Order Reinstating Warehouse License Number 1155 of Earth Harvest Mills, Inc. dba Dakota Prairie Organic Flour Company at its Harvey, North Dakota warehouse, effective August 1, 2011 in Case No. GE-11-379.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-11-524  
Dahlgren & Company, Inc.  
Grain Warehouse  
Discontinue Business

Mr. Clark: I move the Commission adopt an order in Case No. GE-11-524 cancelling warehouse license numbers 989 and 990 issued to Dahlgren & Company, Inc. at Fargo, and Grace City, North Dakota and ordering that business at Fargo and Grace City, North Dakota is discontinued effective August 1, 2011.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-11-525  
SunOpta Grains and Foods Inc.  
Grain Warehouse  
License Application

Mr. Clark: I move the Commission adopt an order in Case No. GE-11-525 granting the request of SunOpta Grains and Foods Inc. to operate a 550,000-bushel grain warehouse at Fargo, North Dakota and a 1,906,000-bushel grain warehouse at Grace City, North Dakota, effective August 1, 2011.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-11-526  
CHS, Inc.  
Facility-Based Grain Buyer –  
Courtenay  
Discontinue Business

Mr. Clark: I move the Commission adopt an order in Case No. GE-11-526 cancelling facility-based grain buyer license number 2036 issued to CHS, Inc., St. Paul, Minnesota, at the Courtenay, North Dakota location and ordering that business at Courtenay, North Dakota is discontinued effective August 3, 2011

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-11-527  
Central Plains Ag Services, LLC  
Grain Warehouse - Courtenay, ND  
License Application

Mr. Clark: I move the Commission adopt an order in Case No. GE-11-527 granting the request of Central Plains Ag Services, LLC, Hannaford, North Dakota, to operate a 693,000-bushel grain warehouse at Courtenay, North Dakota, effective August 3, 2011.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-11-530  
Technology Crops, Inc.  
License No. 1194 - Hatton, ND  
Discontinue Business

Mr. Clark: I move the Commission adopt an order in Case No. GE-11-530 cancelling warehouse license number 1194 issued to Technology Crops, Inc., Winston-Salem, North Carolina at Hatton, North Dakota and ordering that business at Hatton is discontinued effective August 1, 2011.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-11-532  
Central Valley Bean Cooperative  
License No. 1212 - Lakota, ND  
Discontinue Business

Mr. Clark: I move the Commission adopt an order in Case No. GE-11-532 cancelling warehouse license number 1212 issued to Central Valley Bean Cooperative at Lakota, North Dakota and ordering that business at Lakota is discontinued effective August 1, 2011.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-11-137  
Coteau Properties Company  
Renewal 6, Permit NACT-8102  
Approval

Mr. Cramer: I move the Commission approve Renewal No. 6 to Surface Coal Mining Permit No. NACT-8102, held by The Coteau Properties Company for the Freedom Mine, to extend the permit term for an additional five years until August 31, 2016.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-10-554  
Hiland Operating, LLC  
6-Inch Natural Gas Liquids Pipeline  
Siting Application

Mr. Cramer: I move the Commission request the Director of the Office of Administrative Hearings to appoint an Administrative Law Judge to preside as a substantive hearing officer in Case No. PU-10-554, Hiland Operating, LLC's proposed 6-inch natural gas liquids pipeline in McKenzie County and Williams Counties of North Dakota.

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 request the Director of the Office of Administrative Hearings to appoint an Administrative Law Judge to preside as a substantive hearing officer in Case No. PU-11-99, Arrow Field Services, 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 and Stark Counties  
Siting Application

Mr. Cramer: I move the Commission request the Director of the Office of Administrative Hearings to appoint an Administrative Law Judge to preside as a substantive hearing officer in Case No. PU-11-102, Whiting Oil and Gas Corporation, Crude Oil Pipeline, Billings and Stark Counties, North Dakota.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Tuition Reimbursement

Mr. Cramer: I move the Commission accept Sheila Hibl's request for tuition reimbursement provided that she meets the guidelines in Policy No. 3-05-95 (1) of the Commission's Policy Manual.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 11:02 A.M.

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Executive Secretary

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TONY CLARK, CHAIRMAN