

September 20, 2011

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

Minutes

Mr. Cramer: I move the minutes of September 6, 7, 2011 be approved.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-11-611  
Clifford R. Sanders, Jr.  
Auctioneer  
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Clifford R. Sanders, Jr., Durbin, North Dakota.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-11-612  
Timothy Pfister  
Auctioneer  
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Timothy Pfister, Rolling Meadows, Illinois.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-11-613  
Henslin Auctions, Inc.  
Auction Clerk  
License Application

Mr. Cramer: I move the Commission approve the auction clerk license application for Henslin Auctions, Inc., Bird Island, Minnesota.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GS-11-79  
Gas Pipeline Safety  
Rulemaking

Mr. Cramer: I move the Commission adopt the Order in Case No. GS-11-79, submitting the proposed rule amending North Dakota Administrative Code Section 69-09-03-02, to the Attorney General for an opinion as to legality.

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 adopt the Order and issue a Certificate of Public Convenience and Necessity authorizing 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 adopt the Order and issue a Certificate of Public Convenience and Necessity authorizing 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 and re-certification for the following applicants:

<u>Applicant</u>	<u>Affiliation</u>	<u>Certificate No.</u>
Rodney Enerson	Beulah	93-10-205-R(6)
Kevin Sasse	Beulah	11-09-333
Kim Ankenbauer	Falkirk	05-11-279-R(2)
Steve Bernhardt	Falkirk	02-11-259-R(3)
Joel Fricke	Falkirk	11-09-334
Carvel Lick	Falkirk	02-11-261-R(3)
RyanSchmidt	Falkirk	05-10-280-R(2)

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-11-68  
 Coteau Properties Company  
 Liability Period Variance,  
 Permit NACT-9101  
 Approval

Mr. Cramer: I move the Commission approve the Coteau Properties Company's request for a variance from the ten-year revegetation responsibility period for 2.5 acres of hayland located in the SE¼ of Section 16, T145N, R86W, Mercer County, within Permit No. NACT-9101.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-11-610  
 Barlow Grain  
 Grain Warehouse  
 Discontinue Business

Mr. Clark: I move the Commission adopt an order in Case No. GE-11-610 cancelling warehouse license numbers 44 and 1183 issued to Barlow Grain at Barlow and Bremen, North Dakota and ordering that business at Barlow and Bremen is discontinued effective immediately.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-11-603  
 Allied Energy, Inc. dba Allied Grain  
 Grain Warehouse  
 License Application

Mr. Clark: I move the Commission issue an order in Case No. GE-11-603 granting the request of Allied Energy, Inc. dba Allied Grain to operate a 1,150,000-bushel grain warehouse at Barlow, North Dakota and a 450,000-bushel grain warehouse at Bremen, North Dakota, effective immediately.

Mr. Cramer: 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. Clark: I move the Commission issue a Notice of Hearing in Otter Tail Power Company's application for advance determination of prudence for its participation in certain CapX2020 Group 1 projects, Case No. PU-09-676; and in Northern States Power Company's application for advance determination of prudence for its participation in certain CapX2020 Group 1 projects, Case No. PU-09-678.

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

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-601  
Thunder Spirit Wind, LLC  
150 MW Wind Energy Project –  
Adams County  
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 five months, and assess a filing fee of \$100,000 due upon filing an application in Case No. PU-11-601, Thunder Spirit Wind, LLC's proposed 150 MW Thunder Spirit Wind Energy Project in Adams County, North Dakota.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-230  
Montana-Dakota Utilities Co.,  
a Division of MDU  
Disposal of Franchise,  
Works & System - White Earth  
Application

Mr. Kalk: I move the Commission adopt the Order Approving Application approving Montana-Dakota Utilities Co.'s request to transfer its distribution franchise, works and system used in the provision of electric distribution service within the community of White Earth and its environs, North Dakota to Mountrail-Williams Electric Cooperative, Case No. PU-11-230.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-463  
USF Use Certification 47 CFR 54.314  
(2012)  
Compliance

Mr. Kalk: I move the Commission adopt the Order Certifying Use of Federal Universal Services Support for rural eligible telecommunications carriers to receive federal universal service funding in 2012, Case No. PU-11-463.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

State Reclamation Award  
2011 Award

Mr. Cramer: I move the Commission present the 2011 State Reclamation Award to the Coteau Properties Company.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-605  
Enbridge Pipelines (North Dakota) LLC  
Grenora Station Upgrade Project -  
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 three weeks, and assess a filing fee of \$100,000 in Case No. PU-11-605, Enbridge Pipelines (North Dakota) LLC's proposed Grenora Station Upgrade Project in Williams County, North Dakota.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-606  
Enbridge Pipelines (North Dakota) LLC  
Little Muddy Station Connection  
Project - Williams  
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 three weeks, and assess a filing fee of \$100,000 in Case No. PU-11-606, Enbridge Pipelines (North Dakota) LLC's proposed Little Muddy Station Connection Project in Williams County, North Dakota.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-10-630  
Plains Pipeline, L.P.  
Crude Oil Pipeline - Williams County  
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-10-630, Plains Pipeline, L.P., Crude Oil Pipeline, Williams County, Siting Application.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-69  
Meadowlark Wind I, LLC  
New Frontier Wind Energy Project -  
McHenry County  
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-11-69, Meadowlark Wind I, LLC - New Frontier Wind Project in McHenry County, Siting Application.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 11:00 A.M.

---

Executive Secretary

---

TONY CLARK, CHAIRMAN