

December 7, 2011

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on December 7, 2011, 10:00 a.m. Present were Commissioners Clark, Kalk and Cramer.

Minutes

Mr. Cramer: I move the minutes of November 23, December 2, 5, 2011 be approved.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-378
Otter Tail Power Company
Mark Ames - Barnes County
Public Convenience & Necessity

Mr. Cramer: I move the Commission adopt the Order and issue a Certificate of Public Convenience and Necessity authorizing Otter Tail Power Company to extend electric service to Mark Ames at a location in Barnes County, North Dakota, Case No. PU-11-378.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-630
Montana-Dakota Utilities Co.,
a Division of MDU
Rough Rider Transportation –
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 Rough Rider Transportation at a location in Morton County, North Dakota, Case No. PU-11-630.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-667
Montana-Dakota Utilities Co.,
a Division of MDU
Robert Alexander - Ward 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 Robert Alexander at a location in Ward County, North Dakota, Case No. PU-11-667.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-685
Montana-Dakota Utilities Co.,
a Division of MDU
Brunno Kinzler - Dickey 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 Brunno Kinzler at a location in Dickey County, North Dakota, Case No. PU-11-685.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-692
Basin Electric Power Cooperative
345 kV Transmission Line –
Williams 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 siting application to sixty days and assess a filing fee of \$15,000 due upon filing of an application in Case No. PU-11-692, Basin Electric Power Cooperative's proposed 345/230 kV Williston Tie Project in Williams County, 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 Organic Flour Company
License No. 1155 - Harvey, ND
Suspension

Mr. Clark: I move the Commission, under N.D.C.C. § 60-02-09.1, adopt the Order Suspending Warehouse License Number 1155 of Earth Harvest Mills, Inc. dba Dakota Prairie Organic Flour Company, at their Harvey, North Dakota warehouse, effective December 1, 2011, for lack of an bond filing, and issue a Notice of Opportunity to be Heard in Case No. GE-11-379.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-11-666
Taft Elevator, A Division of Rahr
Malting Co.
Grain Warehouse - Amenia, ND
License Application

Mr. Clark: I move the Commission adopt an order in Case No. GE-11-666 granting the request of Taft Elevator, A Division of Rahr Malting Co., Shakopee, Minnesota, to operate a 3,197,000-bushel grain warehouse at Amenia, North Dakota, effective immediately.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-10-649
Kindred Plumbing and Heating
Damage Prevention Enforcement

Mr. Kalk: I move the Commission adopt the Consent Order in the Public Service Commission's damage prevention enforcement action concerning Kindred Plumbing and Heating, Case No. PU-10-649.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GS-11-664
Aevenia, Inc.
Damage Prevention Enforcement

Mr. Kalk: I move the Commission adopt the Consent Order in the Public Service Commission's damage prevention enforcement action concerning Aevenia, Inc., Case No. PU-11-664.

Mr. Cramer: 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 request to 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-11-605, Enbridge Pipelines (North Dakota), LLC's proposed Grenora Station Upgrade Project - 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 County
Siting Application

Mr. Cramer: I move the Commission acknowledge request to 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-11-606, Enbridge Pipelines (North Dakota), LLC's proposed Little Muddy Station Connection Project - Williams County, North Dakota.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-395
Montana-Dakota Utilities Co.,
a Division of MDU Re
Advance Determination of Prudence -
88 MW Turbine
Application

Mr. Cramer: I move the Commission appoint Cara DeSaye as advocacy staff, in Montana-Dakota Utilities Company's application for advance determination of prudence and application for certificate of public convenience and necessity concerning its 88 MW simple cycle combustion turbine projects, Case Nos. PU-11-395 and PU-11-396.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-396
Montana-Dakota Utilities Co.,
a Division of MDU Re
88 MW Combustion Turbine
Public Convenience & Necessity

Case No. PU-11-153
Otter Tail Power Company
Transmission Facility Cost Recovery
Rates

Mr. Cramer: I move the Commission appoint Jerry Lein, Mark Gruman and Christopher Marohl as advocacy staff in Otter Tail Power Company's application for a transmission cost recovery rider, Case No. PU-11-153 and Case No. PU-11-682.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-682
Otter Tail Power Company
Transmission Facility Cost Recovery
Tariff

Case No. PU-11-153
Otter Tail Power Company
Transmission Facility Cost Recovery
Rates

Case No. PU-11-682
Otter Tail Power Company
Transmission Facility Cost Recovery
Tariff

ATTEST

Mr. Cramer: I move the Commission retain Mitchell D. Armstrong to provide legal services to assist the Commission in processing Case No. PU-11-153, Otter Tail Power Company, Transmission Facility Cost Recovery, Rates, and Case No. PU-11-682 Otter Tail Power Company, Transmission Facility Cost Recovery, Tariff.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

THE COMMISSION ADJOURNED AT 10:53 A.M.

Executive Secretary

TONY CLARK, CHAIRMAN