

December 14, 2022

The Public Service Commission convened on December 14, 2022, 10:03 a.m. via teleconference due to the closure of the Capitol complex because of inclement weather. Present were Commissioners Fedorchak, Christmann and Haugen-Hoffart. Commissioner Haugen-Hoffart authorized Jill Kringstad to sign on her behalf

Minutes

Ms. Fedorchak: I move the minutes of November 30, 2022, be approved.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-16-539
Glacier Ridge Wind Farm, LLC
Glacier Ridge Wind Farm Project -
Barnes County
Siting Application

Ms. Fedorchak: I move the Commission issue a siting application fee final refund in the amount of \$63,865.47 in Glacier Ridge Wind Farm, LLC, Glacier Ridge Wind Farm Project – Barnes County, Siting Application, Case No. PU-16-539.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-22-322
Otter Tail Power Company
Economic Development
Rates

Ms. Fedorchak: I move the Commission issue an application fee final refund in the amount of \$9,535.44 in Otter Tail Power Company, Economic Development, Rates, Case No. PU-22-322.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-22-361
Montana-Dakota Utilities Co.
Ulrich Manufacturing - Grant County
Public Convenience & Necessity

Ms. Fedorchak: I move the Commission adopt the Order in Montana-Dakota Utilities Co., Ulrich Manufacturing – Grant County, Public Convenience & Necessity, Case No. PU-22-361.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-22-365
Otter Tail Power Company
Wes Knudsen - LaMoure County
Public Convenience & Necessity

Ms. Fedorchak: I move the Commission adopt the Order in Otter Tail Power Company, Wes Knudsen – LaMoure County, Public Convenience & Necessity, Case No. PU-22-365.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-18-72
Andeavor Field Services LLC
8" & 6" NGL Pipelines - McKenzie,
Billings, Stark
Siting Application

Ms. Fedorchak: I move the Commission adopt the Order on Consent Agreement in Andeavor Field Services, LLC, 8" & 6" NGL Pipelines – McKenzie, Billings, Stark, Siting Application, Case No. PU-18-72.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-21-441
Caliber North Dakota LLC
2.62-Mile Natural Gas Pipeline –
McKenzie County
Siting Application

Two motions were brought forward. Following a discussion regarding the penalty amount, both motions were withdrawn with no action taken. The case was held over.

Case No. PU-22-362
Montana-Dakota Utilities Co.
North Dakota Soybean Processors,
Inc., Cass County
Public Convenience & Necessity

Ms. Fedorchak: I move the Commission adopt the Order in Montana-Dakota Utilities Co., North Dakota Soybean Processors, Inc., Cass County, Public Convenience & Necessity, Case No. PU-22-362.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Reorganization

Ms. Fedorchak: I move that Commissioner Christmann serve as Chairman of the Public Service Commission for the next two years, effective January 1, 2023.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Reorganization

Ms. Fedorchak: I move the Commission portfolios be allocated as follows, effective January 1, 2023:

Commissioner Christmann

- Business Operations
- Coal Mining and Reclamation
- Abandoned Mine Lands
- Licensing: Auctioneers & Auction Clerks
- Telecommunications
- SPP/RSC

Commissioner Haugen-Hoffart

- Wind and Solar Reclamation
- Economic Regulation - Electric
- Pipeline Safety
- Damage Prevention
- Weights and Measures
- Consumer Affairs
- Cyber Security

Commissioner Fedorchak

- Siting
- Railroads
- MISO/OMS
- Economic Regulation - Gas

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-22-384
Northwest Dakota Cellular of North
Dakota Limited
Designated Eligible Carrier
Application

Case No. PU-22-385
North Central RSA 2 of North Dakota
Limited Partne
Designated Eligible Carrier
Application

Case No. PU-22-386
North Dakota RSA No. 3 Limited
Partnership
Designated Eligible Carrier
Application

Case No. PU-22-387
Badlands Cellular of North Dakota
Limited Partners
Designated Eligible Carrier
Application

Case No. PU-22-388
North Dakota 5 - Kidder Limited
Partnership
Designated Eligible Carrier
Application

Case No. PU-22-408
Northwest Communications / Midstate
Telephone Co.
Portal Exchange
Public Convenience & Necessity

Case No. PU-22-409
Northwest Communications / Midstate
Telephone Co.
Designated Eligible Carrier
Application

Mr. Christmann: I move the Commission adopt the Order in Northwest Dakota Cellular of North Dakota Limited Partnership, Designated Eligible Carrier, Application, Case No. PU-22-384, North Central RSA 2 of North Dakota Limited Partnership, Designated Eligible Carrier, Application, Case No. PU-22-385, North Dakota RSA No. 3 Limited Partnership, Designated Eligible Carrier, Application, Case No. PU-22-386, Badlands Cellular of North Dakota Limited Partnership, Designated Eligible Carrier, Application, Case No. PU-22-387, and North Dakota 5 – Kidder Limited Partnership, Designated Eligible Carrier, Application, Case No. PU-22-388.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Mr. Christmann: Believing that there will be no prejudice to the rights of the parties or the public interest, and finding the cases involve similar questions of law and fact, I move the Commission consolidate these cases for hearing under North Dakota Administrative Code Section 69-02-04-04 and issue a Notice of Opportunity for Consolidated Hearing in Northwest Communications / Midstate Telephone Company, Portal Exchange, Public Convenience and Necessity, Case No. PU-22-408, and Northwest Communications / Midstate Telephone Company, Designated Eligible Carrier, Application, Case No. PU-22-409.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-22-417
Public Service Commission
2022 - 2027 Bipartisan Infrastructure
Law Grant
Application

Mr. Christmann: I move the Commission submit the 2022 - 2027 North Dakota Abandoned Mine Lands Bipartisan Infrastructure Law (BIL) Grant Application to the Office of Surface Mining to request \$3,101,700 in federal funds, in Public Service Commission, 2022 - 2027 Bipartisan Infrastructure Law Grant Application, Case No. AM-22-417.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-22-194
Montana-Dakota Utilities Co.
2022 Electric Rate Increase
Application

Ms. Haugen-Hoffart: I move the Commission issue a Notice of Public Hearing in Montana-Dakota Utilities Co., 2022 Electric Rate Increase, Application, Case No. PU-22-194.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-22-335
Otter Tail Power Company
Transmission Facility Cost Recovery
(2023)
Rates

Ms. Haugen-Hoffart: I move the Commission adopt the Order in Otter Tail Power Company, Transmission Facility Cost Recovery (2023), Rates, Case No. PU-22-335.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-22-391
SCS Carbon Transport LLC
Midwest Carbon Express CO2 Pipeline
Project
Siting Application

Ms. Fedorchak: I move the Commission appoint Timothy J. Dawson as substitute decisionmaker for recused commissioner in SCS Carbon Transport LLC, Midwest Carbon Express CO2 Pipeline Project, Siting Application, Case No. PU-22-391.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-22-391
SCS Carbon Transport LLC
Midwest Carbon Express CO2 Pipeline
Project
Siting Application

Ms. Fedorchak: I move the Commission appoint Zachary Pelham as advisory counsel in SCS Carbon Transport LLC, Midwest Carbon Express CO2 Pipeline Project, Siting Application, Case No. PU-22-391.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-22-391
SCS Carbon Transport LLC
Midwest Carbon Express CO2 Pipeline
Project
Siting Application

Ms. Fedorchak: I move the Commission assign Commissioner Randy Christmann as portfolio holder in SCS Carbon Transport LLC, Midwest Carbon Express CO2 Pipeline Project, Siting Application, Case No. PU-22-391.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Surface Mining Reclamation and
Enforcement
Comments

Mr. Christmann: I move the Commission assign Director Zanna Brinkman to file comments to the Surface Mining Reclamation and Enforcement regarding the proposal to revise OSM-51 form for information collection.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 11:57 A.M.


Executive Secretary


RANDY CHRISTMANN, CHAIR