

January 24, 2024

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on January 24, 2024, 10:01 a.m. Present were Commissioners Christmann, Haugen-Hoffart and Fedorchak.

Minutes

Mr. Christmann: I move the minutes of January 4 and January 16, 2024, be approved.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-22-340  
Otter Tail Power Company  
Arnold Anderson - Richland County  
Public Convenience & Necessity

Mr. Christmann: I move the Commission adopt the Order in Otter Tail Power Company, Arnold Anderson – Richland County, Public Convenience & Necessity, Case No. PU-22-340.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-23-232  
Otter Tail Power Company  
ND DOT, Griggs County  
Public Convenience & Necessity

Mr. Christmann: I move the Commission adopt the Order in Otter Tail Power Company, ND Department of Transportation (ND DOT), Griggs County, Public Convenience & Necessity, Case No. PU-23-232.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-23-334  
Montana-Dakota Utilities Co.  
Delaine Scherbenske - McIntosh  
County  
Public Convenience & Necessity

Mr. Christmann: I move the Commission adopt the Order in Montana-Dakota Utilities Co., Delaine Scherbenske – McIntosh County, Public Convenience & Necessity, Case No. PU-23-334.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-19-376  
Northern Divide Wind, LLC  
200 MW Northern Divide Wind Energy  
Center - Burke  
Siting Application

Mr. Christmann: I move the Commission issue a siting application fee final refund in the amount of \$23,337.36 in Northern Divide Wind, LLC, 200 MW Northern Divide Wind Energy Center – Burke, Siting Application, Case No. PU-19-376.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-19-377  
Northern Divide Wind, LLC  
345 kV Transmission Line - Burke and  
Mountrail  
Siting Application

Mr. Christmann: I move the Commission issue a siting application fee final refund in the amount of \$22,429.45 in Northern Divide Wind, LLC, 345 kV Transmission Line – Burke and Mountrail, Siting Application, Case No. PU-19-377.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-23-339  
Montana-Dakota Utilities Co.  
Generation Resource Cost Recovery  
Rates

Ms. Haugen-Hoffart: I move the Commission adopt the Order in Montana-Dakota Utilities Co., Generation Resource Cost Recovery, Rates, Case No. PU-23-339.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-23-364  
Northern States Power Company  
Customer Credit – DOE Settlement  
2022  
Application

Ms. Haugen-Hoffart: I move the Commission issue a Notice of Opportunity for Hearing in Northern States Power Company, Customer Credit – DOE Settlement 2022, Application, Case No. PU-23-364.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-23-366  
Northern States Power Company  
Application to Amend Order  
Application

Ms. Haugen-Hoffart: I move the Commission grant a three month extension for filing any advanced determination of prudence applications in Northern States Power Company, Application to Amend Order, Application, Case No. PU-23-366.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-23-294  
Montana-Dakota Utilities Co.  
Rate Schedule - Kindred Expansion  
Surcharge  
Tariff and Rates

Ms. Fedorchak: I move the Commission adopt the Order in Montana-Dakota Utilities Co., Rate Schedule - Kindred Expansion Surcharge, Tariff and Rates, Case No. PU-23-294.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-23-313  
Rugby Wind LLC  
Rugby Wind Farm – Pierce County  
Siting Application

Ms. Fedorchak: I move the Commission issue a Notice of Opportunity for Hearing in Rugby Wind LLC, Rugby Wind Farm - Pierce County, Siting Application, Case No. PU-23-313.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-23-347  
Dakota Gasification Company  
Transfer – Corridor #223 & Route #233  
Siting Application

Ms. Fedorchak: I move the Commission adopt the Order in Dakota Gasification Company, Transfer - Corridor #223 & Route #233, Siting Application, Case No. PU-23-347.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-23-367  
Northern States Power Company  
2024 Natural Gas Rate Increase  
Application

Ms. Fedorchak: I move the Commission suspend the tariffs and rates in Northern States Power Company, 2024 Natural Gas Rate Increase, Application, Case No. PU-23-367.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-23-217  
Falkirk Mining Company  
Revision 35, Permit NAFK-9503  
Application

Mr. Christmann: I move the Commission approve Revision No. 35 to Surface Coal Mining Permit NAFK-9503 held by Falkirk Mining Company for the Falkirk Mine to revise the post-mining topography for some unmined areas in the permit, update the mine plan, remove 159.6 acres in the SW¼ of Section 32, T145N, R83W, McLean County, that have not been disturbed by mining activities, and update other operation and reclamation plans as provided in Revision No. 35, in Falkirk Mining Company, Revision 35, Permit NAFK-9503, Application, Case No. RC-23-217.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-23-355  
Westmoreland Beulah Mining LLC  
Notice of Violation 2301  
Violation

Mr. Christmann: I move the Commission assess a proposed penalty for Notice of Violation 2301 issued to Westmoreland Beulah Mining LLC, in Westmoreland Beulah Mining LLC, Notice of Violation 2301, Violation, Case No. RC-23-355.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 11:32 A.M.

  
\_\_\_\_\_  
Executive Secretary

  
\_\_\_\_\_  
RANDY CHRISTMANN, CHAIR