

March 5, 2024

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on March 5, 2024, 10:02 a.m. Present were Commissioners Christmann, Haugen-Hoffart and Fedorchak.

Minutes

Mr. Christmann: I move the minutes of February 21, 2024, be approved.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Blaster Certification/Re-Certification Approval

Mr. Christmann: I move the Commission to approve blaster certification and re-certification for the following applicants:

<b>Applicant</b>	<b>Affiliation</b>	<b>Certificate No.</b>
Coleman Fredericks	Freedom Mine	24-02-455
Richard Schimke	Freedom Mine	09-08-312-R(5)
Kelwayne Westman	Freedom Mine	09-08-315-R(5)
Justin Lauf	Freedom Mine	18-04-413-R(2)

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-24-63  
Otter Tail Power Company  
Small Power Production / Cogeneration Rates

Mr. Christmann: I move the Commission approve Otter Tail Power Company's annual update of small power production and cogeneration rate schedules effective April 1, 2024, in Otter Tail Power Company, Small Power Production / Cogeneration, Rates, Case No. PU-24-63.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-24-80  
Otter Tail Power Company  
Jess & Jessica Brekke - Ramsey County  
Public Convenience & Necessity

Mr. Christmann: I move the Commission issue a Notice of Opportunity for Hearing in Otter Tail Power Company, Jess & Jessica Brekke - Ramsey County, Public Convenience & Necessity, Case No. PU-24-80.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-764  
ONEOK Rockies Midstream, L.L.C.  
Demicks Lake Gas Processing Plant - McKenzie Cnty  
Siting Application

Mr. Christmann: I move the Commission issue a siting application fee final refund in the amount of \$21,522.57 in ONEOK Rockies Midstream, L.L.C., Demicks Lake Gas Processing Plant – McKenzie Cnty, Siting Application, Case No. PU-14-764.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-20-438  
BNI Coal, Ltd.  
Revision 8, Permit BNCR-1101  
Application

Mr. Christmann: I move the Commission conditionally approve Revision 8 to Surface Coal Mining Permit BNCR-1101, held by BNI Coal, Ltd. for the Center Mine, to add 2,661.04 acres of land located in Sections 11, 14, 15, 16, 22, and 23, T141N, R84W, modify the postmining topography for 1,211 acres in the existing permit area, add Federal coal lease NDM 105513 to the permit, and to update the appropriate sections of the permit for mining in the added area in BNI Coal, Ltd., Revision 8, Permit BNCR-1101, Application, Case No. RC-20-438.

Ms. Fedorchak: 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 adopt the Order in Notice of Violation 2301 issued to Westmoreland Beulah Mining LLC, at the Beulah Mine, to affirm the violation, assess a civil penalty, and close the case upon payment of the penalty, in Westmoreland Beulah Mining LLC, Notice of Violation 2301, Violation, Case No. RC-23-355.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-24-76  
Otter Tail Power Company  
My Renewable Energy Credits (My  
RECs) Rider  
Tariff and Rates

Ms. Haugen-Hoffart: I move the Commission suspend the tariff and rates, reduce the application fee to \$10,000, and issue a Notice of Opportunity for Hearing in Otter Tail Power Company, My Renewable Energy Credits (My RECs) Rider, Tariff and Rates, Case No. PU-24-76.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-23-338  
Basin Electric Power Cooperative  
345-kV Transmission Line Project -  
Williams County  
Siting Application

Ms. Fedorchak: I move the Commission accept the Order Adopting ALJ Recommended Findings of Fact, Conclusions of Law and Order, in Basin Electric Power Cooperative, 345-kV Transmission Line Project, Siting Application, Case No. PU-23-338.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-23-361  
Basin Electric Power Cooperative  
Roundup-Kummer Ridge 345-kV  
Trans-Dunn & McKenzie  
Siting Application

Ms. Fedorchak: I move the Commission adopt the Findings of Fact, Conclusions of Law and Order in Basin Electric Power Cooperative, Roundup-Kummer Ridge 345-kV Trans-Dunn & McKenzie, Siting Application, Case No. PU-23-361.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-24-79  
Caliber North Dakota LLC  
Transfer-Certificates #164; 229-Permits  
#176; 239  
Siting Application

Ms. Fedorchak: I move the Commission assess an application fee of \$10,000 and issue a Notice of Opportunity for Hearing in Caliber North Dakota LLC, Transfer-Certificates #164 and #229-Permits #176 and #239, Siting Application, Case No. PU-24-79.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 10:44 A.M.

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

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