

APPROVED

DATE: 8-27-08



**MOTION**

**August 27, 2008**

**Montana-Dakota Utilities Co., A Division of  
MDU Resources Group, Inc.  
Recovered Energy Generator Facility  
Public Convenience and Necessity**

**Case No. PU-08-358**

I move the Commission adopt the Order and issue a certificate of public convenience and necessity authorizing Montana-Dakota Utilities Co. to construct, own, and operate a recovered energy generator and associated transmission facilities in Morton County, North Dakota, Case No. PU-08-358.

JRL/jrm

**STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION**

**Montana-Dakota Utilities Co., a Division of MDU  
Resources Group, Inc.  
Recovered Energy Generator Facility  
Public Convenience and Necessity**

**Case No. PU-08-358**

**ORDER**

**August 27, 2008**

On June 19, 2008, Montana-Dakota Utilities Co. (MDU) filed an application for a Certificate of Public Convenience and Necessity to construct, own, and operate a 7.5 MW Recovered Energy Generator and associated 41.6 kV electric transmission facilities extending from Northern Border Pipeline Company's compressor station near Glen Ullin, in Morton County, North Dakota.

On July 2, 2008, the Commission issued a Notice of Opportunity for Hearing, which provided until August 8, 2008 for receiving written comments or hearing requests. No response has been received. The notice identified the following issues to be considered:

1. Whether public convenience and necessity will be served by construction and ownership of the facilities.
2. Whether Montana-Dakota Utilities Co., is fit, willing and able to provide service.

On August 11, 2008 Commission staff filed a memorandum indicating that MDU has the financial ability to provide service.

On August 13, 2008 the Commission discussed this matter with representatives from MDU and Commission staff at an informal hearing.

Montana-Dakota Utilities Co. is a Division of MDU Resources Group, Inc., which is a Delaware Corporation authorized to do business in North Dakota as a foreign corporation, and is doing business in North Dakota as a public utility subject to the jurisdiction of and regulation by this Commission.

Montana-Dakota Utilities Co. generates, transmits, and distributes electricity in Montana, North Dakota, South Dakota, and Wyoming. It is an experienced electric generation, transmission and distribution utility that currently serves over 120,000 retail electric customers in the Northern Great Plains. Montana-Dakota Utilities Co. has the experience and resources to construct, own, and operate a 7.5 MW Recovered Energy Generator and associated 41.6 kV electric transmission facilities.

Montana-Dakota's application indicates that the Recovered Energy Generator (REG) facility is necessary to capture waste heat from Northern Border Pipeline Company's existing compressor station, and to convert the recovered heat to electricity. In order to deliver the energy generated by the REG to MDU's system, a 41.6 kV sub-transmission line will be constructed extending approximately 3.3 miles from a new distribution substation, located on the northeast of Glen Ullin, adjacent to MDU's existing distribution substation to the REG site located in the SW 1/4, Section 26, Township 139N, Range 88W, in Morton County, North Dakota.

The Commission finds public convenience and necessity will be served by construction and ownership of the facilities.

The Commission finds that Montana-Dakota Utilities Co. is fit, willing and able to provide service.

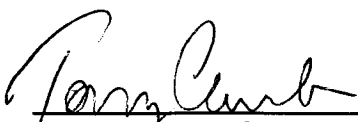
### Order

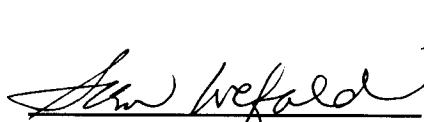
The Commission Orders:

1. The application of Montana-Dakota Utilities Co. for a certificate of public convenience and necessity to construct, own, and operate a 7.5 MW Recovered Energy Generator and associated 41.6 kV electric transmission facilities extending from Northern Border Pipeline Company's compressor station near Glen Ullin, in Morton County, North Dakota is GRANTED.

2. Certificate of Public Convenience and Necessity No. 5361 is issued to Montana-Dakota Utilities Co. to construct, own, and operate the Recovered Energy Generator and associated electric transmission facilities.

### PUBLIC SERVICE COMMISSION

  
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**Tony Clark**  
Commissioner

  
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**Susan E. Wefald**  
President

  
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**Kevin Cramer**  
Commissioner

**PUBLIC SERVICE COMMISSION  
STATE OF NORTH DAKOTA**

**Certificate of Public Convenience and Necessity**

**Certificate Number 5361**

*This is to certify that public convenience and necessity require, and permission is granted, for Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., to construct, own, and operate a 7.5 MW Recovered Energy Generator and associated 41.6 kV electric transmission facilities extending from Northern Border Pipeline Company's compressor station near Glen Ullin, in Morton County, North Dakota.*

*This certificate is issued in accordance with the Order of this Commission dated August 27, 2008 in Case No. PU-08-358, and is subject to the conditions and limitations noted in the Order.*

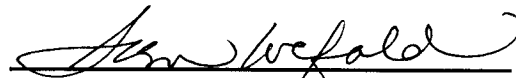
*This certificate is conditioned upon Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc. securing the franchise or other authority of the proper municipal or other public authority for the exercise of these rights and privileges.*

*Bismarck, North Dakota, August 27, 2008.*

**ATTEST:**

**PUBLIC SERVICE COMMISSION**

  
**Executive Director**

  
**Commissioner**