

May 10, 2017

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on May 10, 2017, 10:00 a.m. Present were Commissioners Christmann, Fedorchak and Kroshus.

Minutes

Mr. Christmann: I move the minutes of April 26, 28, May 5, 2017 be approved.

Mr. Kroshus: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-17-178
Abe E Dillman
Auctioneer
License Application

Mr. Christmann: I move the Commission approve the auctioneer license application for Abe E Dillman, Grassy Butte, North Dakota.

Mr. Kroshus: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-135
Belle Fourche Pipeline Company
10-Inch Crude Oil Pipeline - Billings,
Dunn, Stark
Siting Application

Mr. Christmann: Since no trees or shrubs were removed during construction, I move the Commission issue a siting application fee final refund in the amount of \$6,000.00 in Belle Fourche Pipeline Company, 10-Inch Crude Oil Pipeline – Billings, Dunn, Stark, Siting Application, Case No. PU-14-135.

Mr. Kroshus: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-840
Hiland Crude, LLC
Dore Crude Oil Loop Pipeline -
McKenzie County
Siting Application

Mr. Christmann: Since no trees or shrubs were removed during construction, I move the Commission issue a siting application fee final refund in the amount of \$7,875.00 in Hiland Crude, LLC, Dore Crude Oil Loop Pipeline – McKenzie County, Siting Application, Case No. PU-14-840.

Mr. Kroshus: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-31
Hess North Dakota Pipelines LLC
12-inch Crude Oil Pipeline –
McKenzie & Williams
Siting Application

Mr. Christmann: I move the Commission approve Hess North Dakota Pipelines LLC Tree and Shrub Mitigation Plan in Hess North Dakota Pipelines LLC, 12-Inch Crude Oil Pipeline – McKenzie & Williams, Siting Application, Case No. PU-15-31 and Hess North Dakota Pipelines LLC, Hawkeye NGL Pipeline – McKenzie & Williams, Siting Application, Case No. PU-15-32

Mr. Kroshus: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-32
Hess North Dakota Pipelines LLC
Hawkeye NGL Pipeline –
McKenzie & Williams
Siting Application

Case No. PU-15-720
Tesoro High Plains Pipeline
Company LLC
12-inch Crude Oil Pipeline –
McKenzie County
Siting Application

Mr. Christmann: I move the Commission issue a siting application fee interim refund in the amount of \$21,403.83 in Tesoro High Plains Pipeline Company LLC, 12-Inch Crude Oil Pipeline – McKenzie County, Siting Application, Case No. PU-15-720.

Mr. Kroshus: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-744
Sacagawea Pipeline Company, LLC
16-inch Crude Oil Pipeline –
McKenzie County
Siting Application

Mr. Christmann: I move the Commission issue a siting application fee interim refund in the amount of \$46,092.08 in Sacagawea Pipeline Company, LLC, 16-Inch Crude Oil Pipeline – McKenzie County, Siting Application, Case No. PU-15-744.

Mr. Kroshus: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-16-189
Hess North Dakota Export
Logistics LLC
12-Inch Crude Oil Pipeline –
Williams County
Siting Application

Mr. Christmann: I move the Commission issue a siting application fee interim refund in the amount of \$6,581.87 in Hess North Dakota Export Logistics LLC, 12-Inch Crude Oil Pipeline – Williams County, Siting Application, Case No. PU-16-189.

Mr. Kroshus: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-17-162
Otter Tail Power Company
CenturyLink Communications, LLC -
Richland County
Public Convenience & Necessity

Mr. Christmann: I move the Commission issue a Notice of Opportunity for Hearing in Otter Tail Power Company, CenturyLink Communications, LLC – Richland County, Public Convenience & Necessity, Case No. PU-17-162.

Mr. Kroshus: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-17-81
2017 Exploratory Drilling AML Project
Project

Mr. Christmann: I move the Commission execute Contract AM-777-17 with S&S Drilling, Inc. in the amount of \$199,000 for rotary drilling and other services for the 2017 Exploratory Drilling AML Project at abandoned underground coal mines.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-17-168
Telecommunications Relay Service
Misc. Case

Mr. Christmann: I move the Commission publish notice of the 2017-2018 Telecommunications Relay Service Surcharge in the daily newspapers of general circulation in the state of North Dakota, Public Service Commission, Telecommunications Relay Service, Miscellaneous Case, Case No. PU-17-168.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-17-175
Budget PrePay, Inc.
Designated Eligible Carrier
Cancellation / Application

Mr. Christmann: I move the Commission issue a Notice of Opportunity for Comment in Budget PrePay, Inc., Designated Eligible Carrier, Cancellation / Application, Case No. PU-17-175.

Ms. Fedorchak: I second the motion.
Roll Call: All voting "Aye."

Case No. RC-17-179
2018 Administration and Enforcement
Grant
Application

Mr. Christmann: I move the Commission submit the 2018 Administration and Enforcement Grant Application to the Office of Surface Mining Reclamation and Enforcement to request federal funds that are needed to carry out the coal regulatory program for the next one-year grant period that begins July 1, 2017 and ends June 30, 2018.

Ms. Fedorchak: I second the motion.
Roll Call: All voting "Aye."

Case No. PU-08-932
EDF Renewable Development, Inc.
Merricourt Wind Power Project
Siting Application

Ms. Fedorchak: I move the Commission deem the Application for Second Amendment to Certificate of Site Compatibility complete and issue a Notice of Filing and Notice of Hearing in EDF Renewable Development, Inc., Merricourt Wind Power Project, Siting Application, Case No. PU-08-932.

Mr. Kroshus: I second the motion.
Roll Call: All voting "Aye."

Case No. PU-11-69
Meadowlark Wind I LLC
New Frontier Wind Energy Project -
McHenry County
Siting Application

Ms. Fedorchak: I move the Commission adopt the Order of Continuing Suitability in Meadowlark Wind I, LLC, New Frontier Wind Energy Project - McHenry County, Siting Application, Case No. PU-11-69.

Mr. Kroshus: I second the motion.
Roll Call: All voting "Aye."

Case No. PU-17-97
Cenex Pipeline, LLC
10" Refined Fuels Pipeline
Williams, Mountrail, Ward Counties
Siting Application

Ms. Fedorchak: I move the Commission deem complete the applications for a corridor certificate and a route permit, conditioned upon receiving from the applicant at least 30 days prior to the public hearing in this case the following:

1) Geographic Information System layers for its survey area boundaries and all exclusion, avoidance, and other criteria/elements shown on the Applicant's Appendix A figures;

2) a Class III cultural resources survey report and status of North Dakota State Historic Preservation Office concurrence;

3) a wetlands delineation report;

4) Cenex's Construction Environmental Program;

5) Cenex's Unanticipated Discovery Plan;

6) spill history for Cenex facilities;

7) Cenex's Emergency Procedures Plan;

8) Cenex's Spill Response Plan;

9) Cenex's Erosion Control Plan; and

10) Cenex's Storm Water Pollution Prevention Plan; and further move the Commission issue a Notice of Filings and Public Hearings in Cenex Pipeline, LLC, 10" Refined Fuels Pipeline Williams, Mountrail, Ward Counties, Siting Application

Mr. Kroshus: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-17-117
Whiting Oil and Gas Corp./
QEP Field Services, LLC
Transfer of Site Certificate
Siting Application

Ms. Fedorchak: 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 under North Dakota Administrative Code section 69-02-04-04, the joint applications of Whiting Oil and Gas Corporation / QEP Field Services, LLC for Transfer of Site Certificate, Siting Application, Case No. PU-17-117, and Transfer – Certificate #124 & Permit # 133, Siting Application, Case No. PU-17-157, and issue a Notice of Opportunity for Consolidated Hearing.

Mr. Kroshus: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-17-157
Whiting Oil and Gas Corp./
QEP Field Services, LLC
Transfer - Certificate #124 &
Permit #133
Siting Application

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 Notice of Opportunity for Hearing in Glacier Ridge Wind Farm, LLC, Glacier Ridge Wind Farm Project – Barnes County, Siting Application, Case No. PU-16-539

Mr. Kroshus: I second the motion.
Roll Call: All voting "Aye."

Case No. PU-17-102
Northern States Power Company
230 kV Transmission Line –
McHenry & Ward Counties
Siting Application

Mr. Christmann: I move the Commission retain Zachary Pelham, effective April 28, 2017, to provide legal services to assist the Commission in processing Northern States Power Company, 230 kV Transmission Line, McHenry & Ward Counties, Siting Application, Case No. PU-17-102.

Ms. Fedorchak: I second the motion.
Roll Call: All voting "Aye."

Post Probationary Period Salary
Adjustment

Mr. Christmann: I move the approval of an off probation salary increase effective May 1, 2017 for Position No. 5028, Compliance Director based on the satisfactory completion of a six-month probationary period, in an amount consistent with the terms defined in the Commission's October 20, 2016 written offer of employment.

Ms. Fedorchak: I second the motion.
Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 11:34 A.M.


Executive Secretary


RANDY CHRISTMANN, CHAIRMAN