

February 26, 2019

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on February 26, 2019, 10:02 a.m. Present were Commissioners Kroshus, Fedorchak and Christmann.

Minutes

Mr. Kroshus: I move the minutes of February 6, 2019, be approved.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-771  
Public Service Commission  
GroundFX - Outstanding Balance  
Damage Prevention Enforcement

Mr. Kroshus: I move the Commission close Public Service Commission, Ground FX – Outstanding Balance, Damage Prevention Enforcement, Case No. PU-14-771.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-773  
Public Service Commission  
Jangula Contracting, Inc. -  
Outstanding Balance  
Damage Prevention Enforcement

Mr. Kroshus: I move the Commission close Public Service Commission, Jangula Contracting, Inc. – Outstanding Balance, Damage Prevention Enforcement, Case No. PU-14-773.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-797  
Public Service Commission  
B&B Walker & Son - Outstanding  
Balance  
Damage Prevention Enforcement

Mr. Kroshus: I move the Commission close Public Service Commission, B&B Walker & Son – Outstanding Balance, Damage Prevention Enforcement, Case No. PU-14-797.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-803  
Public Service Commission  
Lund Excavating - Outstanding  
Balance  
Damage Prevention Enforcement

Mr. Kroshus: I move the Commission close Public Service Commission, Lund Excavating – Outstanding Balance, Damage Prevention Enforcement, Case No. PU-14-803.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-804  
Public Service Commission  
Jerry's Water & Sewer - Outstanding  
Balance  
Damage Prevention Enforcement

Mr. Kroshus: I move the Commission close Public Service Commission, Jerry's Water & Sewer – Outstanding Balance, Damage Prevention Enforcement, Case No. PU-14-804.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-805  
Public Service Commission  
Taylor Contracting - Outstanding  
Balance  
Damage Prevention Enforcement

Mr. Kroshus: I move the Commission close Public Service Commission, Taylor Contracting – Outstanding Balance, Damage Prevention Enforcement, Case No. PU-14-805.

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

Case No. PU-15-162  
Public Service Commission  
All in One Contractors - Outstanding  
Balance  
Damage Prevention Enforcement

Mr. Kroshus: I move the Commission close Public Service Commission, All in One Contractors – Outstanding Balance, Damage Prevention Enforcement, Case No. PU-15-162.

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

Case No. PU-15-200  
Public Service Commission  
B & T Contracting LLC  
Damage Prevention Enforcement

Mr. Kroshus: I move the Commission close Public Service Commission, B & T Contracting LLC, Damage Prevention Enforcement, Case No. PU-15-200.

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

Case No. PU-15-201  
Public Service Commission  
Balut Utility LLC  
Damage Prevention Enforcement

Mr. Kroshus: I move the Commission close Public Service Commission, Balut Utility LLC, Damage Prevention Enforcement, Case No. PU-15-201.

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

Case No. PU-15-203  
Public Service Commission  
E.J. Underground, INC.  
Damage Prevention Enforcement

Mr. Kroshus: I move the Commission close Public Service Commission, E.J. Underground, INC., Damage Prevention Enforcement, Case No. PU-15-203.

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

Case No. PU-15-207  
Public Service Commission  
Morris Enterprises LLC  
Damage Prevention Enforcement

Mr. Kroshus: I move the Commission close Public Service Commission, Morris Enterprises LLC, Damage Prevention Enforcement, Case No. PU-15-207.

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

Case No. PU-15-210  
Public Service Commission  
Septic Tech, LLC  
Damage Prevention Enforcement

Mr. Kroshus: I move the Commission close Public Service Commission, Septic Tech, LLC, Damage Prevention Enforcement, Case No. PU-15-210.

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

Case No. PU-15-213  
Public Service Commission  
Yard Supreme Inc.  
Damage Prevention Enforcement

Mr. Kroshus: I move the Commission close Public Service Commission, Yard Supreme Inc., Damage Prevention Enforcement, Case No. PU-15-213.

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

Case No. PU-15-214  
Public Service Commission  
Zack Utility Contractors  
Damage Prevention Enforcement

Mr. Kroshus: I move the Commission close Public Service Commission, Zack Utility Contractors, Damage Prevention Enforcement, Case No. PU-15-214.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-17-75  
Great Plains Natural Gas Co.  
Gas Service  
Tariff and Rates

Mr. Kroshus: I move the Commission approve the revised refund plan dated February 5, 2019, in Great Plains Natural Gas Co., Gas Service, Tariff and Rates, Case No. PU-17-75.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-17-148  
Great Plains Natural Gas Co.  
2016 Gas Operations  
Annual Report

Mr. Kroshus: I move the Commission close Great Plains Natural Gas Co., 2016 Gas Operations, Annual Report, Case No. PU-17-148.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-18-125  
Great Plains Natural Gas Co.  
2017 Gas Operations  
Annual Report

Mr. Kroshus: I move the Commission close Great Plains Natural Gas Co., 2017 Gas Operations, Annual Report, Case No. PU-18-125.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-18-321  
Public Service Commission  
Loenbro Pipeline, LLC  
Damage Prevention Enforcement

Mr. Kroshus: I move the Commission close Public Service Commission, Loenbro Pipeline, LLC, Damage Prevention Enforcement, Case No. PU-18-321.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-19-40  
Otter Tail Power Company  
Small Power Production / Cogeneration  
Rates

Mr. Kroshus: I move the Commission approve Otter Tail Power Company's Cogeneration and Small Power Production Rates in Otter Tail Power Company, Small Power Production / Cogeneration, Rates, Case No. PU-19-40.

Mr. Christmann: 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

Mr. Kroshus: I move the Commission issue a siting application fee interim refund in the amount of \$57,354.69 in Meadowlark Wind I LLC, New Frontier Wind Energy Project – McHenry County, Siting Application, Case No. PU-11-69.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-17-51  
NuStar Pipeline Operating Partnership  
L.P.  
Mapleton Terminal - Cass County  
Siting Application

Mr. Kroshus: I move the Commission issue a siting application fee interim refund in the amount of \$35,851.37 in NuStar Pipeline Operating Partnership L.P., Mapleton Terminal – Cass County, Siting Application, Case No. PU-17-51.

Mr. Christmann: 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. Kroshus: I move the Commission issue a siting application fee interim refund in the amount of \$58,466.37 in Northern States Power Company, 203 kV Transmission Line – McHenry & Ward Counties, Siting Application, Case No. PU-17-102.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-17-284  
Foxtail Wind, LLC  
Foxtail Wind Energy Center - Dickey  
County  
Siting Application

Mr. Kroshus: I move the Commission issue a siting application fee interim refund in the amount of \$58,897.17 in Foxtail Wind, LLC, Foxtail Wind Energy Center – Dickey County, Siting Application, Case No. PU-17-284.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-18-281  
Emmons-Logan Wind, LLC  
Emmons-Logan 230 kV Transmission  
Line - Emmons  
Siting Application

Mr. Kroshus: I move the Commission adopt a Motion to correct the Motion previously adopted on February 6, 2019, adopting the Findings of Fact, Conclusions of Law and Order issuing corridor certificate number 208 and route permit number 218, to remove the words “Emmons-Logan Wind Energy Center – Emmons & Logan” from the case name and replace them with “230 kV Transmission Line – Emmons County” in Emmons-Logan Wind, LLC, Emmons-Logan Wind Energy Center – Emmons & Logan 230 kV Transmission Line – Emmons County, Siting Application, Case No. PU-18-281.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-18-352  
Aurora Wind Project, LLC  
Aurora Wind Project - Williams County  
Siting Application

Mr. Kroshus: I move the Commission execute Contract No. PU-806-19-EE with Hessler Associates, Inc. for consulting services in Aurora Wind Project, LLC, Aurora Wind Project – Williams County, Siting Application, Case No. PU-18-352.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-18-112  
Northern States Power Company  
Electric Reliability Performance Plan  
Rates

Mr. Kroshus: I move the Commission adopt the Order in Northern States Power Company, Electric Reliability Performance Plan, Rates, Case No. PU-18-112.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-18-201  
Public Service Commission  
CenturyLink Communications, LLC  
Damage Prevention Enforcement

Mr. Kroshus: I move the Commission adopt the Order on Consent Agreement in Public Service Commission, CenturyLink Communications, LLC, Damage Prevention Enforcement, Case No. PU-18-201 and Case No. PU-18-308.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-18-308  
Public Service Commission  
CenturyLink Communications, LLC  
Damage Prevention Enforcement

Case No. PU-18-379  
Montana-Dakota Utilities Co., a  
Division of MDU Re  
Transmission Facility Cost Recovery  
Tariff and Rates

Mr. Kroshus: I move the Commission adopt the order in Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., Transmission Facility Cost Recovery, Tariff and Rates, Case No. PU 18-379

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-18-380  
Montana-Dakota Utilities Co., a  
Division of MDU Re  
Generation Resource Cost Recovery  
Tariff and Rates

Mr. Kroshus: I move the Commission adopt the order in Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., Generation Resource Cost Recovery, Tariff and Rates, Case No. PU 18-380

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-18-381  
Montana-Dakota Utilities Co., a  
Division of MDU Re  
Renewable Resource Cost Recovery  
Tariff and Rates

Hold Over

Case No. PU-18-219  
Harmony Solar ND, LLC  
Harmony Solar Project - Cass County  
Siting Application

Ms. Fedorchak: I move the Commission adopt the Findings of Fact, Conclusions of Law and Order in Harmony Solar ND, LLC, Harmony Solar Project – Cass County, Siting Application, Case No. PU-18-219.

Mr. Christmann: I second the motion.

Roll Call: Mr. Kroshus votes "Aye".

Ms. Fedorchak votes "Aye".

Mr. Christmann votes "Nay".

Dissenting Opinion

Case No. PU-18-219  
Harmony Solar ND, LLC  
Harmony Solar Project - Cass County  
Siting Application

DISSENT  
Commissioner Randy Christmann

Issuance of a Certificate of Site Compatibility for Harmony Solar should be delayed, pending a proposed change to North Dakota Administrative Rules.

Harmony Solar acknowledges there will be an impact on prime farmland acreage throughout the life of the facility, but contends that the acreage total is negligible. North Dakota Administrative Code Chapter 69-06-08 prohibits issuance of a Certificate of Site Compatibility unless the PSC finds that the prime farmland that will be removed from use for the life of the facility is of such small acreage as to be of negligible impact on agricultural production.

In recent years the Commission has issued Certificates of Site Compatibility for other energy infrastructure projects that impacted small amounts of prime farmland, usually just a few acres. Harmony Solar is different because it covers 1662 acres of Red River Valley farmland. (It can be argued that some of the acreage around the outer perimeter will not be covered with infrastructure, but it will also not be available for the kind of agricultural activities one would expect to see on prime farmland)

While it was obvious to call the tiny tracts of prime farmland in previous cases negligible, this case requires a more thorough look at exactly what the rule means by "such small acreage as to be of negligible impact."

The only Commission precedent that I am aware of for siting of an energy infrastructure project that is even close to comparable to the prime farmland impact of Harmony Solar is the combination of siting of the Antelope Valley Station power plants and the neighboring Dakota Gasification plant. These facilities were approved in 1977 and combined, impacted far less prime farmland than Harmony Solar.

The key distinction is that those Certificates of Site Compatibility were granted to applicants that had acquired the property rights prior to adoption of the Siting Act. While not mentioning anything about the acreage volume being negligible in Orders, the Commission did say "For the Commission to exclude the proposed site from consideration would be to make

Dissenting Opinion Continued  
Commissioner Christmann

illegal a use of the site which had been recognized as legal at the time the property rights to the site were acquired.”

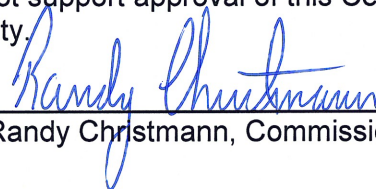
Case No. PU-18-219  
Harmony Solar ND, LLC  
Harmony Solar Project - Cass County  
Siting Application

Our Administrative Rules need to be honored just like the Century Code. These rules are not adopted as guidelines for the convenience of the agency. They are in place to provide citizens with consistency and protection from regulatory bodies and the judiciary. When the rules become outdated, they should be changed, not ignored.

Harmony Solar, a subsidiary of Geronimo, is not new to North Dakota’s Century Code and Administrative Rules. Harmony filed this application in June of 2018. Had they also requested a rule change, that process would likely be complete by now.

At this time, this Commission has started a rulemaking process to look at the merits of prime farmland being an exclusion area. A hearing is scheduled for March 13, 2019 which provides an opportunity for input from all stakeholders and the general public. That legal, thorough, and public rulemaking process should be our guide regarding whether this rule should be eliminated, altered, or followed.

At this time my opinion is that Harmony Solar meets all requirements for a Certificate, except that approval would violate the prime farmland rule. In fact, Harmony should be commended for going above and beyond with their voluntary decommissioning commitments. But all that does not negate the need to follow other rules, so at this time I cannot support approval of this Certificate of Site Compatibility.

  
\_\_\_\_\_  
Randy Christmann, Commissioner

Concurring Opinion

CONCUR  
Commissioner Brian Kroshus

Case No. PU-18-219  
Harmony Solar ND, LLC  
Harmony Solar Project - Cass County  
Siting Application

Energy development in North Dakota is influenced by siting law, including a rule identifying prime farmland as an exclusion area. However, correctly interpreting that rule is subject to interpretation due to the fact that there is

Concurring Opinion Continued  
Commissioner Kroshus

Case No. PU-18-219  
Harmony Solar ND, LLC  
Harmony Solar Project - Cass County  
Siting Application

as much speculation as tangible evidence to support original intent.

If anything, Commission testimony from the late 70's and early 80's strongly indicates land type discrimination as the primary reason for developing the prime farmland rule.

At the time wooded areas were afforded more protection than prime farmland and understandably, agricultural producers weren't happy about transmission lines instead being shifted onto their best ground against their wishes.

Properly interpreting statute and applicable rules is a key element in siting. I personally rely heavily the expert opinion of legal staff at the commission and engage with them in the siting process, including Harmony Solar. I believe it's critical to do so.

Extensive review of the rule by legal counsel at the Public Service Commission concludes there is ample flexibility in how this rule can be applied if as it states, there is a negligible impact on agricultural production in the state.

Collectively, our legal experts at the commission have decades of applicable experience related to siting law and North Dakota statute. They apply that background and experience knowledge to effectively and accurately base decisions on.

As a quasi-judicial body, the commission's responsibility is to evaluate the record and make objective decisions regardless of personal preference or create unintended consequences. Each decision sets precedence for not just one specific type energy type, but for all future development including renewables, oil, gas and coal.

There continues to be considerable debate surrounding renewable energy development in our state and across the nation. Some are in favor, some neutral and others opposed for a variety of reasons including how energy subsidies favor some industries more than others. It is a valid concern.

However, attempting to leverage private property rights as a means of countering market inequities is even more troubling.

It was never intended for any regulatory body to have that kind of freedom, or to in effect, attempt to redefine statute in the decision-making process.

Concurring Opinion Continued  
Commissioner Kroshus

Case No. PU-18-219  
Harmony Solar ND, LLC  
Harmony Solar Project - Cass County  
Siting Application

It's the commission's role to follow statute and rule-of-law set forth by lawmakers. Unless directed otherwise by the legislative body, it's imperative to regulate within the parameters granted to us by lawmakers in siting laws.

It's equally important the commission remains energy agnostic by applying the same objective reasoning to each individual case. That in effect protects private-property rights.

Protecting private property rights and safeguarding citizens from government overreach is a fundamental reason siting laws exist.

Further, a "government knows best" approach does not reflect the will of the people nor is it the reason citizens elect individuals to represent them.

The creation of the prime farmland rule was developed to prevent the taking of land from an unwilling participant. It was never intended to deny willing individuals from doing as they wish with their own personal property.

The role of government is to protect the public from detrimental or unwanted outside influences, not themselves.

When an individual willingly and freely pursues a new business venture with land they own, within the rule of law, their wishes should be respected.

Doing so otherwise does nothing less than strip them of their private property rights and freedoms granted under the constitution.

The role of government is to respect and protect those rights, not deny them.

**Other Key Considerations in my decision included:**

- The timing of the decision was important to the 7 landowners involved in the project – any potential delay could have negatively impacted crop production for the 2019 growing season if approval was pushed to late summer (to plant or not to plant).

Concurring Opinion Continued  
Commissioner Kroshus

Case No. PU-18-219  
Harmony Solar ND, LLC  
Harmony Solar Project - Cass County  
Siting Application

- All siting requirements of the application were met and deemed complete, in full compliance with statute.
- Approval of the project was essentially inevitable and due to that, delaying it without a compelling legal basis to do so would have resulted in needlessly reprocessing parts of the case at additional expense to taxpayers' only months later with the same end result.
- There is no defined basis or comparison language in the rule in which to measure loss of productivity, or if development has a negligible effect, when it involves prime farmland so application of the rule becomes extremely speculative in nature.
- Prime farmland has and continues to be converted in the Red River Valley, including for relatively new facilities like the Tharldson Ethanol Plant just several miles to the west of Casselton, housing developments, roads, parks, etc. Not granting a permit was discriminatory in nature.
- A representative from the Agricultural Commission testified with no concern related to farmland used for the project (their concern was ensuring the use of certified seed for grass cover).
- Not opposing testimony for the project was received.
- Strong, unanimous community support.
- Above all and as stated, this is a private-property rights issue – this sends a message to all landowners in North Dakota that they have the right to monetize their own personal property in the manner they see fit as long as they do so within the parameters of the law.

---

Brian Kroshus, Commissioner

Concurring Opinion

Case No. PU-18-219  
Harmony Solar ND, LLC  
Harmony Solar Project - Cass County  
Siting Application

CONCUR  
Commissioner Julie Fedorchak

During the Feb. 26 regular meeting of the North Dakota Public Service Commission, I voted to grant a Solar Energy Conversion facility siting certification to Harmony

Concurring Opinion Continued  
Commissioner Fedorchak

Case No. PU-18-219  
Harmony Solar ND, LLC  
Harmony Solar Project - Cass County  
Siting Application

Solar ND, LLC. This is the correct decision on this application for the following reasons:

The North Dakota Administrative Code Chapter 69-06-08 establishes exclusion areas, avoidance areas, selection criteria and policy criteria to guide the Commission in evaluating the suitability of an application for a site certificate. With the exception of prime farmland and unique farmland, the Commission must exclude Exclusion Areas in the consideration of a site for an energy conversion facility. When evaluating prime farmland, an exception to the rule exists. If the Commission finds that the prime farmland or unique farmland that will be removed from use for the life of the facility is of *such small acreage as to be of negligible impact on agriculture production*, then the prime farmland exclusion does not apply.

The term "negligible impact" is not defined, leaving this determination in the hands of the Commission on a case-by-case basis. In exercising our discretion, the Commission relies on the facts of the case and the record.

In PU-18-219, the company established that the 1662 acres of prime farmland impacted by the project represents approximately .17 percent of prime farmland in Cass County. Using the county as a standard for measuring the impact on agriculture production is reasonable because many standard agriculture production statistics are measured on a countywide basis. This project will affect just a fraction of one percent of the overall prime farmland acres in Cass County. A fraction of one percent can reasonably be determined as "negligible."

Furthermore, the company consulted with 38 different local, state and federal agencies and entities including the North Dakota Department of Agriculture, North Dakota Land Department, North Dakota Soil Conservation committee and the Cass County Soil Conservation District. None of these agencies with an interest in agriculture and land use expressed concerns about the project's impact to prime farmland. In fact, no agencies, organizations or members of the public expressed any concerns about the project's impact to prime farmland, which further supports the conclusion that the project has minimal impact on agriculture production.

Additionally, the project operators testified they will further

Concurring Opinion Continued  
Commissioner Fedorchak

Case No. PU-18-219  
Harmony Solar ND, LLC  
Harmony Solar Project - Cass County  
Siting Application

reduce the project's impact on agriculture production by using seed mixes to attract pollinators. During the period in which this land is removed from agricultural production, the company committed to properly managing the soil so the site will be suitable for agriculture production when the facility is decommissioned.

For these reasons, I believe the prime farmland exemption is warranted in this case. Beyond this issue, the project met the criteria necessary for receiving a site permit, and approving the order is the appropriate decision.



---

Julie Fedorchak, Commissioner

Case No. AM-18-95  
Public Service Commission  
2018 Wilton Phase 4, Shell Lake and  
Williams Cnty  
Project

Mr. Christmann: I move the Commission close out Contract No. AM-796-18 with GEOSERV, Inc. for completion of material testing services for the 2018 Wilton, Shell Lake and Williams County Road 9 Phase 6 AML Reclamation Project.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-18-95  
Public Service Commission  
2018 Wilton Phase 4, Shell Lake and  
Williams Cnty  
Project

Mr. Christmann: I move the Commission close out Contract No. AM-795-18 with B & C Concrete Pumping, Inc. for completion of drilling and grout services for the 2018 Wilton, Shell Lake and Williams County Road 9 Phase 6 AML Reclamation Project.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-19-28  
Ruso Wind Partners, LLC  
Ruso Wind Project - Ward County  
Siting Application

Mr. Kroshus: I move the Commission retain Zachary Pelham, effective February 13, 2019, to provide legal services to assist the Commission in processing Ruso Wind Partners, LLC, Ruso Wind Project, Ward County, Siting Application, Case No. PU-19-28.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-19-29  
Ruso Wind Partners, LLC  
230 kV Transmission Line - McHenry  
and Ward Cntys  
Siting Application

Mr. Kroshus: I move the Commission retain Zachary Pelham, effective February 13, 2019, to provide legal services to assist the Commission in processing Ruso Wind Partners, LLC, 230 kV Transmission Line, McHenry and Ward Counties, Siting Application, Case No. PU-19-29.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 11:57 A.M.



Executive Secretary



BRIAN KROSHUS, CHAIRMAN