

March 27, 2019

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on March 27, 2019, 10:01 a.m. Present were Commissioners Kroshus, Fedorchak and Christmann.

Minutes

Mr. Kroshus: I move the minutes of March 13, 2019, be approved.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-18-347
Public Service Commission
ONEOK Rockies Midstream, L.L.C.
Damage Prevention Enforcement

Mr. Kroshus: I move the Commission close Public Service Commission, ONEOK Rockies Midstream, L.L.C., Damage Prevention Enforcement, Case No. PU-18-347.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-18-403
Northern States Power Company
Advance Prudence - Mankato Energy
Center
Application

Mr. Kroshus: I move the Commission execute a contract with Snavely King Majoros & Associates, Inc. for consulting services in Northern States Power Company, Advance Prudence – Mankato Energy Center, Application, Case No. PU-18-403.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-18-430
Northern States Power Company
Advance Prudence - 151.2 MW Dakota
Range III
Application

Mr. Kroshus: I move the Commission execute a contract with PA Consulting Group, Inc. for consulting services in Northern States Power Company, Advance Prudence – 151.2 MW Dakota Range III, Application, Case No. PU-18-430.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-19-95
Lake Region State College
Wind Energy Facility Lighting Waiver -
69-06-11
Application

Mr. Kroshus: Upon a finding of good cause, I move the Commission grant a waiver of North Dakota Administrative Code chapter 69-06-11 in Lake Region State College, Wind Energy Facility Lighting Waiver, Application, Case No. PU-19-95.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-19-36
Public Service Commission
Energy Conversion Facility Siting
Criteria
Rulemaking

Mr. Kroshus: I move the Commission adopt the Order Submitting Rules to Attorney General for an opinion as to legality in Public Service Commission, Energy Conversion Facility Siting Criteria, Rulemaking, Case No. PU-19-36.

Section 69-06-08-01 Energy Conversion Facility Siting Criteria

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-19-96
Lake Region State College
Wind Turbine
Decommissioning Plan & Cost

Mr. Kroshus: Upon finding good cause, and subject to the Commission retaining authority to require a decommissioning plan under North Dakota Administrative Code section 69-09-09-06 in the future, I move the Commission grant a waiver of sections 69-09-09-03, 69-09-09-06, and 69-09-09-08 in Lake Region State College, Wind Turbine, Decommissioning Plan & Cost, Case No. PU-19-96.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

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

Ms. Fedorchak: Believing there will be no prejudice to the rights of the parties or the public interest, and finding the cases involve similar questions of law or fact, I move the Commission consolidate for hearing, under North Dakota Administrative Code section 69-02-04-04, Ruso Wind Partners, LLC, Ruso Wind Project – McLean and Ward Counties, Siting Application, Case No. PU-19-28 and Ruso Wind Partners, LLC, 230 kV Transmission Line – McHenry and Ward Cntys, Siting Application, Case No. PU-19-29

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

I further move the Commission deem the applications complete conditioned on receipt at least 30 days prior to the hearing of maps and GIS maps showing exclusion and avoidance areas in the study area and the final site plan including project area boundaries, non-participating parcels, turbines, access roads, collector lines, transmission line structures and all residential receptor points labeled with identification numbers, distance to nearest turbine(s) and participating / non-participating status.

Continued

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

I further move the Commission issue a Notice of Filings and Notice of Consolidated Hearing in Ruso Wind Partners, LLC, Ruso Wind Project – McLean and Ward Counties, Siting Application, Case No. PU-19-28 and Ruso Wind Partners, LLC, 230 kV Transmission Line – McHenry and Ward Cntys, Siting Application, Case No. PU-19-29.

Mr. Christmann: 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

Case No. RC-16-649
Coteau Properties Company
Bond Release No. 7 for Permit NACT-
9101
Approval

Mr. Christmann: I move the Commission approve Bond Release No. 7 for Surface Coal Mining Permit No. NACT-9101, held by the Coteau Properties Company for the Freedom Mine, to release all reclamation liabilities on 30.579 acres of land located in a portion of the SE¼ of Section 21, T145N, R86W, Mercer County. The release will become effective April 26, 2019, unless a formal hearing is requested.

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

Case No. GE-19-46
Arthur Glasoe & Lance Glasoe dba
Wildrose C & D
License No. 891 - Wildrose, ND
Suspension

Mr. Christmann: I move the Commission adopt the Order Lifting Suspension and Reinstating Warehouse License in Arthur Glasoe & Lance Glasoe dba Wildrose C & D, License No. 891 – Wildrose, ND, Suspension, Case No. GE-19-46.

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

Case No. GE-19-104
Larimore Sunflower, Inc.
License No. 1022 - Larimore, ND
Discontinue Business

Mr. Christmann: I move the Commission adopt the Order Granting Request to Discontinue Business in Larimore Sunflower, Inc., License No. 1022 – Larimore, ND, Discontinue Business, Case No. GE-19-104.

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

Case No. AM-19-105
Public Service Commission
2019 – 2022 AML Simplified Grant
Application

Mr. Christmann: I move the Commission approve the 2019 Williams County Road 9 Phase 7 and Noonan AML Project, the 2019 Exploratory Drilling AML Project, the 2019 Morton County Phase 2 AML Project, and the 2019-2020 Sinkhole Filling AML Project for abandoned mine reclamation in 2019 and submit the 2019 - 2020 North Dakota Abandoned Mine Lands Simplified Grant Application to the Office of Surface Mining to request \$2,814,000 in federal funds.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-19-85
ONEOK Bakken Pipeline, L.L.C.
12-Inch NGL Pipeline - McKenzie
County
Siting Application

Mr. Kroshus: I move the Commission retain Mitch Armstrong, Brian Schmidt, and Sarah Wall, to provide legal services to assist the Commission in processing ONEOK Bakken Pipeline, L.L.C., 12-Inch NGL Pipeline, McKenzie County, Siting Application, Case No. PU-19-85.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-18-346
Public Service Commission
ONEOK Rockies Midstream, L.L.C.
Damage Prevention Enforcement

Mr. Kroshus: I move the Commission appoint Victor Schock and John Schuh as advocacy staff effective February 22, 2019, in Public Service Commission, ONEOK Rockies Midstream, L.L.C., Damage Prevention Enforcement, Case No. PU-18-346.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-18-349
Public Service Commission
ONEOK Rockies Midstream, L.L.C.
Damage Prevention Enforcement

Mr. Kroshus: I move the Commission appoint Victor Schock and John Schuh as advocacy staff effective February 22, 2019, in Public Service Commission, ONEOK Rockies Midstream, L.L.C., Damage Prevention Enforcement, Case No. PU-18-349.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

ATTEST



Interim Executive Secretary

THE COMMISSION ADJOURNED AT 11:21 A.M.



BRIAN KROSHUS, CHAIRMAN