

June 26, 2019

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on June 26, 2019, 10:03 a.m. Present were Commissioners Kroshus, Fedorchak and Christmann.

Minutes

Mr. Kroshus: I move the minutes of June 12 and June 25, 2019, be approved.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-18-322
Otter Tail Power Company
Chad Wendel - Barnes County
Public Convenience & Necessity

Mr. Kroshus: I move the Commission issue a Notice of Opportunity for Hearing in Otter Tail Power Company, Chad Wendel – Barnes County, Public Convenience & Necessity, Case No. PU-18-322.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-19-123
Otter Tail Power Company
Robert & Danyel April - McHenry County
Public Convenience & Necessity

Mr. Kroshus: I move the Commission adopt the Order in Otter Tail Power Company, Robert & Danyel April – McHenry County, Public Convenience & Necessity, Case No. PU-19-123.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-19-124
Otter Tail Power Company
John Samuelson - McLean County
Public Convenience & Necessity

Mr. Kroshus: I move the Commission adopt the Order in Otter Tail Power Company, John Samuelson - McLean County, Public Convenience & Necessity, Case No. PU-19-124.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-19-125
Otter Tail Power Company
Steve Leidholm - McLean County
Public Convenience & Necessity

Mr. Kroshus: I move the Commission adopt the Order in Otter Tail Power Company, Steve Leidholm - McLean County, Public Convenience & Necessity, Case No. PU-19-125.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Compliance Division
Grain Warehouse and Grain Buyer
Update

Mr. Kroshus: I move the Commission acknowledge the issuance of the following new grain buyer license, which became effective during the month of June 2019.

ROVING GRAIN BUYER LICENSE

Business Name	Location	Projected Purchases (bu.)	Effective Date
MGI Grain Inc.	East Grand Forks, MN	100,000	6/18/2019

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

Case No. GE-19-195
JM Grain Inc
Grain Warehouse
Suspension

Mr. Kroshus: I move the Commission acknowledge the suspension of grain warehouse license numbers 1146 and 1332 issued to JM Grain Inc. at Garrison and Cummings, North Dakota respectively, effective June 13, 2019.

I further move the Commission acknowledge the reinstatement of grain warehouse license numbers 1146 and 1332 issued to JM Grain Inc. at Garrison and Cummings, North Dakota respectively, effective June 17, 2019.

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

Case No. GS-18-396
Public Service Commission
Caliber North Dakota LLC
Pipeline Safety Enforcement

Mr. Kroshus: I move the Commission adopt the Order in Public Service Commission, Caliber North Dakota LLC, Pipeline Safety Enforcement, Case No. GS-18-396.

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

Case No. PU-19-144
EDF Renewable Development,
Inc./Otter Tail Power
Transfer of Site Certificate
Siting Application

Ms. Fedorchak: I move the Commission adopt the Order issuing First Reissued, Second Amended Certificate of Site Compatibility Number 23 to Otter Tail Power Company in EDF Renewable Development, Inc./Otter Tail Power, Transfer of Site Certificate, Siting Application, Case No. PU-19-144.

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

Case No. RC-17-280
BNI Coal, Ltd.
Revision 40, Permit BNCR-9702
Approval

Mr. Christmann: I move the Commission conditionally approve Revision No. 40 to Surface Coal Mining Permit BNCR-9702 held by BNI Coal, Ltd. to add 636.58 acres to the permit for the Center Mine and to update the appropriate sections of the permit for mining in the added area.

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

Case No. AM-19-78
Public Service Commission
2019 Exploratory Drilling AML Project
Project

Mr. Christmann: I move the Commission authorize additional change orders to increase the amount of Contract AM-811-19 with Agapito Associates, Inc. up to \$170,000 for additional drilling, casing and other services for the 2019 Exploratory Drilling AML Project at abandoned underground coal mines.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-19-202
Central Distributing Co. Inc.
Roving Grain Buyer - Knoxville, TN
Discontinue Business

Mr. Christmann: I move the Commission adopt the Order Granting Request to Discontinue Business in Central Distributing Co. Inc., Roving Grain Buyer – Knoxville, TN, Discontinue Business, Case No. GE-19-202.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-19-203
Valley United Co-op
Roving Grain Buyer - Reynolds, ND
Discontinue Business

Mr. Christmann: I move the Commission adopt the Order Granting Request to Discontinue Business in Valley United Co-op, Roving Grain Buyer – Reynolds, ND, Discontinue Business, Case No. GE-19-203.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Rehire – AML Seasonal Project
Inspectors – Corrected Motion

Mr. Kroshus: I move the Commission amend the Commission Motion adopted on April 11, 2019, that acknowledged the hiring of James Thornburg and Christopher Brown for seasonal part-time employment as Project inspectors in the AML division, to identify the beginning period of employment for Mr. Brown as June 13, 2019 rather than June 17, 2019.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Salary Adjustments

Mr. Kroshus: I move the Commission, with appropriated budget authority, grant salary increases effective July 1, 2019 to non-probationary, permanent employees whose documented performance levels met standards as specified in the Accounting report dated June 25, 2019.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Off-Probationary Salary Increase

Mr. Kroshus: I move the approval of an off probation salary increase and legislative performance increase effective July 1, 2019 for Position No. 5024, Environmental Engineer III, based on the satisfactory completion of a six-month probationary period as defined in the October 12, 2018 Letter of Hire.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Reduction in Force

Mr. Kroshus: I move the Commission accept the Executive Secretary's recommendation provided in the 25 June 2019 Reduction-in-Force Analysis, eliminating Position Nos. 5012 and 5013 effective June 30, 2019.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 11:29 A.M.



Executive Secretary



BRIAN KROSHUS, CHAIRMAN