

February 19, 2020

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on February 19, 2020, 10:07 a.m. Present were Commissioners Kroshus, Fedorchak and Christmann.

Minutes

Mr. Kroshus: I move the minutes of February 5 and 7, 2020, be approved.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-17-238
Otter Tail Power Company
Economic Development
Tariff

Mr. Kroshus: I move the Commission adopt the Order on Protection of Information in Otter Tail Power Company, Economic Development, Tariff, Case No. PU-17-238

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-18-374
Public Service Commission
Verendrye Electric Cooperative, Inc.
Damage Prevention Enforcement

Mr. Kroshus: I move the Commission find the Formal Complaint filed by the North Dakota Public Service Commission Advocacy Staff on December 2, 2019, states a prima facie case, and serve the Complaint on the Respondent in Public Service Commission, Verendrye Electric Cooperative, Inc., Damage Prevention Enforcement, Case No. PU-18-374.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-19-372
Otter Tail Power Company
Jerad & Erika Levey - McLean County
Public Convenience & Necessity

Mr. Kroshus: I move the Commission issue a Notice of Opportunity for Hearing in Otter Tail Power Company, Jerad & Erika Levey – McLean County, Public Convenience & Necessity, Case No. PU-19-372.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-20-8
Montana-Dakota Utilities Co.
Cost of Gas 2020
Tariff Monthly Adjustments

Mr. Kroshus: I move the Commission adopt the Order on Protection of Information in Montana Dakota Utilities Co., Cost of Gas 2020, Tariff Monthly Adjustments, Case No. PU-20-08

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-20-17
Northern States Power Company
Cogeneration/Small Power Producer
Rates

Mr. Kroshus: I move the Commission adopt the Order Granting Protection of Information in Northern States Power Company, Cogeneration / Small Power Producer, Rates, Case No. PU-20-17.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-19-376
Northern Divide Wind, LLC
200 MW Northern Divide Wind Energy
Center - Burke
Siting Application

Ms. Fedorchak: I move the Commission issue a Notice of Filings and Notice of Consolidated Hearing in the Application of Northern Divide Wind, LLC, 200 MW Northern Divide Wind Energy Center – Burke, Siting Application, Case No. PU-19-376, and Northern Divide Wind, LLC, 345 kV Transmission Line – Burke & Mountrail, Siting Application, Case No, PU-19-377

Case No. PU-19-377
Northern Divide Wind, LLC
345 kV Transmission Line - Burke and
Mountrail
Siting Application

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

Case No. PU-19-204
Dakota Access, LLC
Dakota Access Pipeline Pump Station -
Emmons Cnty
Siting Application

Ms. Fedorchak: I move the Commission adopt the Order on Intervenor's Motion for Issuance of Subpoena and Motion for Leave to File Informational Brief in Dakota Access, LLC, Dakota Access Pipeline Pump Station – Emmons County, Siting Application, Case No. PU-19-204.

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

Case No. PU-19-204
Dakota Access, LLC
Dakota Access Pipeline Pump Station -
Emmons Cnty
Siting Application

Ms. Fedorchak: I move the Commission adopt the Findings of Fact, Conclusions of Law and Order in Dakota Access, LLC, Dakota Access Pipeline Pump Station – Emmons County, Siting Application, Case No. PU-19-204.

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

Case No. AM-20-79
Public Service Commission
2020-2023 AML Simplified Grant
Application

Mr. Christmann: I move the Commission approve the 2020 Williams County Road 9 Phase 8 Project, the 2020 Noonan Foamed Sand AML Project, the 2020 Hettinger/Stark County AML Project, and the 2019-2020 Sinkhole Filling AML Project for abandoned mine reclamation in 2020 and submit the 2020 - 2023 North Dakota Abandoned Mine Lands Simplified Grant Application to the Office of Surface Mining to request \$2,823,000 in federal funds.

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

Case No. PU-19-328
Northern States Power Company
Transmission Facility Cost Recovery
(2020)
Rates

Mr. Kroshus: I move the Commission adopt the Order in Northern States Power Company, Transmission Facility Cost Recovery (2020), Rates, Case No. PU-19-328.

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

Case No. PU-19-329
Northern States Power Company
Renewable Resource Cost Recovery
(2020)
Rates

Mr. Kroshus: I move the Commission adopt the Order in Northern States Power Company, Renewable Resource Cost Recovery (2020), Rates, Case No. PU-19-329.

Ms. Fedorchak: I second the motion.

Substitute Motion

Mr. Christmann: I move the Commission adopt the Order approving an annual update to the renewable energy rider rate base on a levelization of production tax credits in Northern States Power Company, Renewable Resource Cost Recovery (2020), Rates, Case No. PU-19-329.

Ms. Fedorchak: I second the motion.

Vote to replace the original motion with substitute motion:

Roll Call: Mr. Kroshus: "Nay."

Ms. Fedorchak: "Aye."

Mr. Christmann: "Aye."

Vote on Substitute Motion:

Roll Call: All voting "Aye."

Case No. PU-19-355
Montana-Dakota Utilities Co.
Renewable Resource Cost Recovery
Rates

Mr. Kroshus: I move the Commission adopt the Order approving the updated renewable resource cost adjustment rate with a 12-month recovery period for the under-recovered rider balance in Montana-Dakota Utilities Co., Renewable Resource Cost Recovery, Rates, Case No. PU-19-355.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-20-37
Northern States Power / Nodak Electric
Cooperative
Thompson, North Dakota
Service Area Agreement

Mr. Kroshus: I move the Commission issue a Notice of Opportunity for Consolidated Hearing in Northern States Power/Nodak Electric Cooperative, Thompson, North Dakota, Service Area Agreement, Case No. PU-20-37 and Northern States Power Company, Thompson, North Dakota, Public Convenience & Necessity, Case No. PU-20-41.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-20-41
Northern States Power / Nodak Electric
Cooperative
Thompson, North Dakota
Public Convenience & Necessity

Case No. PU-19-317
Montana-Dakota Utilities Co.
Deferred Accounting - Lewis&Clark 1
Heskett 1 & 2
Application

Mr. Kroshus: I move the Commission retain Mitch Armstrong and Brian Schmidt as Advocacy Counsel in Montana-Dakota Utilities Co., Deferred Accounting, Lewis & Clark 1 Heskett 1 & 2, Application, Case No. PU-19-317.

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

Case No. PU-15-690
Brady Wind, LLC
Brady Wind Energy Center - Stark
County
Siting Application

Mr. Kroshus: I move the Commission appoint Brian Johnson and Patrick Fahn as advocacy staff effective January 2, 2020 in the following cases:

Brady Wind, LLC Case No. PU-15-690
Brady Wind Energy Center – Stark County
Siting Application

Case No. PU-16-42
Brady Wind II, LLC
Brady II Wind Energy Center -
Hettinger & Stark
Siting Application

Brady Wind II, LLC Case No. PU-16-042
Brady II Wind Energy Center – Hettinger & Stark
Siting Application

Case No. PU-16-123
Oliver Wind III, LLC
Oliver III Wind Energy Center - Oliver &
Morton
Siting Application

Oliver Wind III, LLC Case No. PU-16-123
Oliver III Wind Energy Center – Oliver & Morton
Siting Application

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

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

Case No. PU-18-280
Emmons-Logan Wind, LLC
Emmons-Logan Wind Energy Center -
Emmons & Logan
Siting Application

Oliver Wind III, LLC Case No. PU-16-123
Oliver III Wind Energy Center – Oliver & Morton
Siting Application

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

ATTEST

THE COMMISSION ADJOURNED AT 12:13 P.M.


Executive Secretary


BRIAN KROSHUS, CHAIRMAN