

March 4, 2020

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on March 4, 2020, 10:01 a.m. Present were Commissioners Kroshus, Fedorchak and Christmann.

Minutes

Mr. Kroshus: I move the minutes of February 19, 2020, be approved.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-17-295
Montana-Dakota Utilities Co., a
Division of MDU Resources Group Inc.
2017 Natural Gas Rate Increase
Application

Mr. Kroshus: I move the Commission issue an application fee refund in the amount of \$44,449.01 in Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., 2017 Natural Gas Rate Increase, Application, Case No. PU-17-295.

Mr. Christmann: 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 issue an application fee refund in the amount of \$9,845.85 in Northern States Power Company, Transmission Facility Cost Recovery (2020), Rates, Case No. PU-19-328.

Mr. Christmann: 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 issue an application fee refund in the amount of \$9,843.36 in Northern States Power Company, Renewable Resource Cost Recovery (2020), Rates, Case No. PU-19-329.

Mr. Christmann: I second the 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 issue an application fee refund in the amount of \$9,692.74 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-19-364
Montana-Dakota Utilities Co.
Generation Resource Cost Recovery
Rates

Mr. Kroshus: I move the Commission issue an application fee refund in the amount of \$9,706.15 in Montana-Dakota Utilities Co., Generation Resource Cost Recover, Rates, Case No. PU-19-364.

Mr. Christmann: 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

Mr. Kroshus: I move the Commission assess a filing fee of \$10,000 in Northern States Power / Nodak Electric Cooperative, Thompson, North Dakota, Public Convenience & Necessity, Case No. PU-20-41.

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

Case No. PU-20-66
 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, effective April 1, 2020, in Otter Tail Power Company, Small Power Production / Cogeneration, Rates, Case No. PU-20-066.

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

Compliance Division
 Auctioneer and Auction Clerk Update

Mr. Kroshus: I move the Commission acknowledge the issuance of the following new auction licenses, all of which became effective during the month of February 2020.

AUCTIONEER LICENSES

Auctioneer Name	Location	Effective Date
Monte Lowderman	Macomb, IL	2/2/2020
Robert Penfield	Spearfish, SD	2/7/2020

AUCTION CLERK LICENSES

Auction Clerk Name	Location	Effective Date
Monte W. Lowderman	Macomb, IL	2/1/2020
Penfield Auctions	Spearfish, SD	2/7/2020

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

Case No. PU-13-844
 Rugby Wind LLC
 Wind Energy Center - Pierce County
 Decommissioning Plan & Cost

Mr. Kroshus: I move the Commission accept the withdrawal of the Application for Protection of Information filed on October 15, 2019, in Rugby Wind LLC, Wind Energy Center – Pierce County, Decommissioning Plan & Cost, Case No. PU-13-844.

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

Case No. PU-19-306
Montana-Dakota Utilities Co.
Advance Prudence - Heskett 4
Application

Case No. PU-19-307
Montana-Dakota Utilities Co.
88 MW Turbine - Heskett 4
Public Convenience & Necessity

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

Case No. PU-19-310
Northern States Power Company
Advance Prudence - 98.9 Mower Co.
Wind Facility
Application

Case No. GS-19-385
Public Service Commission
Northern States Power Company
Pipeline Safety Enforcement

Case No. PU-15-690
Brady Wind, LLC
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

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

Mr. Kroshus: 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 these cases for hearing under North Dakota Admin. Code section 69-02-04-04 and issue a Notice of Consolidated Hearing in Montana Dakota Utilities Co., Advance Prudence – Heskett 4, Application, Case No. PU-19-306, Montana Dakota Utilities Co. 88 MW Turbine - Heskett 4, Public Convenience & Necessity, Case No. PU- 19-307, and Montana Dakota Utilities Co, Deferred Accounting – Lewis&Clark 1 Heskett 1 & 2, Application, Case No. PU-19-317.

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

Mr. Kroshus: I move that the Commission issue a Notice of Hearing in Northern States Power Company, Advance Prudence – 98.9 Mower Co. Wind Facility, Application, Case No. PU-19-310.

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

Mr. Kroshus: I move the Commission adopt the Order in Public Service Commission, Northern States Power Company, Pipeline Safety Enforcement, Case No. GS-19-385.

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

Ms. Fedorchak: I move that the Commission adopt the Order on Consent Agreement in Brady Wind, LLC, Brady Wind Energy Center - Stark County, Siting Application, Case No. PU-15-690 and in Brady Wind II, LLC, Brady II Wind Energy Center - Hettinger & Stark, Case No. PU-16-042.

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

Ms. Fedorchak: I move that the Commission adopt the Order on Consent Agreement in Oliver Wind III, LLC, Oliver III Wind Energy Center – Oliver & Morton, Siting Application, Case No. PU-16-123.

Mr. Christmann: 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: I move the Commission adopt the Findings of Fact, Conclusions of Law and Order in Ruso Wind Partners, LLC, Ruso Wind Project – Ward and McLean Counties, Siting Application, Case No. PU-19-028.

Mr. Christmann: I second the motion.

Roll Call: Mr. Kroshus votes "Nay".

Ms. Fedorchak votes "Aye".

Mr. Christmann votes "Nay".

Case No. PU-20-18
ONEOK Bakken Pipeline, L.L.C.
Pump Station Additions - McKenzie &
Dunn Counties
Siting Application

Ms. Fedorchak: I move the Commission deem complete the combined application for a corridor certificate and a route permit and issue a Notice of Opportunity for Hearing in ONEOK Bakken Pipeline, L.L.C., Pump Station Additions – McKenzie & Dunn Counties, Siting Application, Case No. PU-20-018.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-20-22
Liberty Midstream Solutions, LLC
8-inch Residue Gas Pipeline -
Mountrail & Williams
Siting Application

Ms. Fedorchak: I move the Commission deem complete the combined application for a corridor certificate and a route permit, contingent on filing with the Commission, at least 30 days prior to the hearing date, all remaining GIS layers associated with the application maps, all available documents detailed in number 6 of the January 23, 2020, request for information letter, and all correspondence with the North Dakota Geological Survey, and issue a Notice of Filing and Public Hearing in Liberty Midstream Solutions, LLC, 8-inch Residue Gas Pipeline - Mountrail & Williams, Siting Application, Case No. PU-20-022.

Mr. Christmann: 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

Ms. Fedorchak: I move the Commission assess an application fee of \$10,000 and issue a Notice of Opportunity for Hearing in Belle Fourche Pipeline Company, 10-Inch Crude Oil Pipeline – Billings, Dunn, Stark, Siting Application, Case No. PU-14-135.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

NOTE: Motion rescinded. See Page 6.

Case No. PU-18-405
Belle Fourche Pipeline Company
6-inch Skunk Hill-DPR Pipeline
Conversion Project
Siting Application

Ms. Fedorchak: I move the Commission issue a Notice of Opportunity for Hearing in Belle Fourche Pipeline Company, 6-inch Skunk Hill-DPR Pipeline Conversion Project, Siting Application, Case No. PU-18-405.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-19-189
Coyote Creek Mining Company, L.L.C.
Renewal 1 to Permit NACC-1302
Application

Mr. Christmann: I move the Commission adopt the Order on Attorney Fees in Coyote Creek Mining Company, L.L.C., Renewal 1 to Permit NACC-1302, Application, Case No. RC-19-189 and Coyote Creek Mining Company, L.L.C., Revision 9 to Permit NACC-1302, Application, Case No. RC-19-190.

Case No. RC-19-190
Coyote Creek Mining Company, L.L.C.
Revision 9 to Permit NACC-1302
Application

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

Case No. PU-19-369
Whiting Oil and Gas Corporation
Robinson Lake Oil Conditioning -
Mountrail County
Siting Application

Mr. Kroshus: I move the Commission acknowledge the request made to the Director of the Office of Administrative Hearings asking that the designated procedural Administrative Law Judge be redesignated to preside as a substantive Administrative Law Judge in Whiting Oil and Gas Corporation, Robinson Lake Oil Conditioning, Mountrail County, Siting Application, PSC Case No. PU-19-369.

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

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

Mr. Kroshus: I move the Commission appoint Brian Johnson and Victor Schock as advocacy staff effective September 19, 2019, in Montana-Dakota Utilities Co., Deferred Accounting – Lewis&Clark 1 Heskett 1 & 2, Application, Case No. PU-19-317.

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

Case No. PU-18-72
Andeavor Field Services LLC
8" & 6" NGL Pipelines - McKenzie,
Billings, Stark
Siting Application

Mr. Kroshus: I move the Commission appoint Brian Johnson and Patrick Fahn as advocacy staff effective January 13, 2020, in Andeavor Field Services LLC, 8" & 6" NGL Pipelines – McKenzie, Billings, Stark, Siting Application, Case No. PU-18-072.

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

Case No. PU-18-404
Belle Fourche Pipeline Company
8-inch Wilson-Bowline Pipeline
Conversion Project
Siting Application

Mr. Kroshus: I move the Commission appoint Brian Johnson and Patrick Fahn as advocacy staff effective September 2, 2019 in Belle Fourche Pipeline Company, 8-Inch Wilson-Bowline Pipeline Conversion Project, Siting Application, Case No. PU-18-404.

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

Case No. PU-18-405
Belle Fourche Pipeline Company
6-inch Skunk Hill-DPR Pipeline
Conversion Project
Siting Application

Mr. Kroshus: I move the Commission appoint Brian Johnson and Patrick Fahn as advocacy staff effective September 2, 2019 in Belle Fourche Pipeline Company, 6-Inch Skunk Hill-DPR Pipeline Conversion Project, Siting Application, Case No. PU-18-405.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-20-82
OE2 North LLC
B. Sanderson Gas Processing Plant -
Williams Cnty.
Siting Application

Mr. Kroshus: I move the Commission retain Mitch Armstrong and Brian Schmidt to provide legal services to assist the Commission in processing OE2 North LLC, B. Sanderson Gas Processing Plant, Williams County, Siting Application, PU-20-82.

Ms. Fedorchak: 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

Ms. Fedorchak: I move the Commission rescind the 4 March 2020 Commission Motion assessing an application fee of \$10,000 and issuing a Notice of Opportunity for Hearing in Belle Fourche Pipeline Company, 10-Inch Crude Oil Pipeline – Billings, Dunn, Stark, Siting Application, Case No. PU-14-135.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 12:24 P.M.



Executive Secretary



BRIAN KROSHUS, CHAIRMAN