

April 1, 2021

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on April 1, 2021, 10:01 a.m. Present were Commissioners Fedorchak, Christmann and Kroshus.

Minutes

Ms. Fedorchak: I move the minutes of March 17, 19, 24 (a.m.), 24 (p.m.), 2021, be approved.

Mr. Christmann: 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

Ms. Fedorchak: I move the Commission approve the Tree and Shrub Mitigation Plan filed on March 10, 2021, in OE2 North LLC, B. Sanderson Gas Processing Plant - Williams Cnty, Siting Application, Case No. PU-20-82.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-21-117  
Penfield Auctions  
Auction Clerk License  
Cancellation

Ms. Fedorchak: I move the Commission adopt the Order Cancelling Auction Clerk License in Penfield Auctions, Auction Clerk License, Cancellation, Case No. AU-21-117.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-21-115  
Falkirk Mining Company  
Self-Bond Increase  
Approval

Mr. Christmann: I move the Commission approve the bond rider that increases the amount of Self-Bond No. SB-9503-1 to \$89,505,000 for the consolidated bond area that covers Permits NAFK-8405, NAFK-8705, and NAFK-9503 held by The Falkirk Mining Company, in Falkirk Mining Company, Self-Bond Increase, Approval, PSC Case No. RC-21-115.

Mr. Kroshus: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-20-208  
Falkirk Mining Company  
Revision 31, Permit NAFK-9503  
Application

Mr. Christmann: I move the Commission conditionally approve Revision No. 31 to Surface Coal Mining Permit NAFK-9503, held by The Falkirk Mining Company for the Falkirk Mine, to add detailed mining plans for the S1/2 of Section 2 and SE1/4 of Section 3, T144N, R84W, update the post-mining topography for portions of the permit area, update the worst-case reclamation cost estimate for the consolidated bond area that includes Permits NAFK-8405, NAFK-8705, and NAFK-9503, and update other operation and reclamation plans as provided in Revision No. 31, in Falkirk Mining Company, Revision 31, Permit NAFK-9503, Application, PSC Case No. RC-20-208.

Mr. Kroshus: I second the motion.

Roll Call: All voting "Aye."

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Case No. RC-20-394  
Falkirk Mining Company  
Revision 41, Permit NAFK-8405  
Application

Mr. Christmann: I move the Commission approve Revision No. 41 to Surface Coal Mining Permit No. NAFK-8405, held by the Falkirk Mining Company, to identify the next five-year coal removal subareas and to update other information and mining and reclamation plans for the next five-year permit term, in Falkirk Mining Company, Revision 41, Permit NAFK-8405, Application, PSC Case No. RC-20-394

Mr. Kroshus: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-20-393  
Falkirk Mining Company  
Renewal 7, Permit NAFK-8405  
Application

Mr. Christmann: I move the Commission approve Renewal No. 7 to Surface Coal Mining Permit No. NAFK-8405, held by the Falkirk Mining Company, to extend the permit term on the existing permit area for another five years, until April 15, 2026, in Falkirk Mining Company, Renewal 7, Permit NAFK-8405, Application, PSC Case No. RC-20-393.

Mr. Kroshus: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-20-420  
Falkirk Mining Company  
Revision 33, Permit NAFK-9503  
Application

Mr. Christmann: I move the Commission approve Revision No. 33 to Surface Coal Mining Permit No. NAFK-9503, held by the Falkirk Mining Company, to identify the next five-year coal removal subareas and to update other information and mining and reclamation plans for the next five-year permit term, in Falkirk Mining Company, Revision 33, Permit NAFK-9503, Application, PSC Case No. RC-20-420.

Mr. Kroshus: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-20-419  
Falkirk Mining Company  
Renewal 5, Permit NAFK-9503  
Application

Mr. Christmann: I move the Commission approve Renewal No. 5 to Surface Coal Mining Permit No. NAFK-9503, held by the Falkirk Mining Company, to extend the permit term on the existing permit area for another five years, until April 17, 2026, in Falkirk Mining Company, Renewal 5, Permit NAFK-9503, Application, PSC Case No. RC-20-419.

Mr. Kroshus: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-21-118  
2021 - 2024 AML Simplified Grant  
Application

Mr. Christmann: I move the Commission approve the 2021 Exploratory Drilling, Beulah/Zap Phase 16, Buechler/Velva Phase 2, and the 2021 Sinkhole Filling AML Projects for abandoned mine reclamation in 2021 and submit the 2021 - 2024 North Dakota Abandoned Mine Lands Simplified Grant Application to the Office of Surface Mining to request \$2,829,000 in federal funds, in Public Service Commission, 2021 - 2024 AML Simplified Grant Application, PSC Case No. AM-21-118.

Mr. Kroshus: I second the motion.

Roll Call: All voting "Aye."

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Case No. PU-19-303  
Public Service Commission  
Hanson's Concrete Masonry &  
Landscaping, LLC  
Damage Prevention Enforcement

Mr. Kroshus: I move the Commission adopt the Order and Notice of Default in Public Service Commission, Hanson's Concrete Masonry & Landscaping, LLC, Damage Prevention Enforcement, Case No. PU-19-303.

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

Case No. PU-19-384  
Public Service Commission  
Randall's Excavating, Inc.  
Damage Prevention Enforcement

Mr. Kroshus: I move the Commission adopt the Order and Notice of Default in Public Service Commission, Randall's Excavating, Inc., Damage Prevention Enforcement, Case No. PU-19-384.

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

Case No. PU-21-89  
Northern States Power Company  
Customer Credit – DOE Settlement  
2019  
Application

Mr. Kroshus: I move the Commission issue a Corrected Notice of Opportunity for Hearing in Northern States Power Company, Customer Credit – DOE Settlement 2019, Application, Case No. PU-21-89.

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

ATTEST

THE COMMISSION ADJOURNED AT 11:36 A.M.

  
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Executive Secretary

  
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JULIE FEDORCHAK, CHAIR