

November 29, 2023

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on November 29, 2023, 10:01 a.m. Present were Commissioners Christmann, Haugen-Hoffart and Fedorchak. Due to another commitment immediately following this meeting, Commissioner Fedorchak authorized Stacy Eberl to sign on her behalf.

Minutes

Mr. Christmann: I move the minutes of November 8, 2023, be approved.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-23-232
Otter Tail Power Company
ND DOT, Griggs County
Public Convenience & Necessity

Mr. Christmann: I move the Commission issue a Notice of Opportunity for Hearing in Otter Tail Power Company, ND Department of Transportation (ND DOT) Griggs County, Public Convenience & Necessity, Case No. PU-23-232.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. DM-23-229
Public Service Commission
Aznorth LLC
Damage Prevention Enforcement

Mr. Christmann: I move the Commission find the Formal Complaint filed by the North Dakota Public Service Commission Advocacy Staff on November 8, 2023, states a prima facie case, and serve the Complaint on the Respondent in Public Service Commission, Aznorth LLC, Damage Prevention Enforcement, Case No. DM-23-229.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. DM-23-273
Public Service Commission
Snow & Lawn Dynamics
Damage Prevention Enforcement

Mr. Christmann: I move the Commission close Public Service Commission, Snow & Lawn Dynamics, Damage Prevention Enforcement, Case No. DM-23-273.

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

Mr. Christmann: I move the Commission adopt the Order in Ruso Wind Partners, LLC, Ruso Wind Project – Ward and McLean 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.

Ms. Fedorchak: 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-22-285
Coteau Properties Company
Bond Release 3, Permit NACT-9501
Application

Mr. Christmann: I move the Commission approve Bond Release No. 3 for Surface Coal Mining Permit NACT-9501, held by the Coteau Properties Company for the Freedom Mine, to release all reclamation liabilities on 343.03 acres of land located in a portion of Section 22, T146N, R88W, Mercer County, effective January 2, 2024, unless a formal hearing is requested, in Coteau Properties Company, Bond Release 3, Permit NACT-9501, Application, Case No. RC-22-285.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-23-348
Casey and Julie Voigt
v. Coyote Creek Mining Company,
L.L.C.
Complaint

Mr. Christmann: I move the Commission find the Formal Complaint filed by Casey and Julie Voigt on November 22, 2023, states a prima facie case, and serve the Complaint on the Respondent in Casey and Julie Voigt, v. Coyote Creek Mining Company, L.L.C., Complaint, Case No. RC-23-348.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-23-323
Public Service Commission
2024 Dakota Collieries AML
Project

Mr. Christmann: I move the Commission initiate Case No. AM-23-323 for the 2024 Dakota Collieries AML Project for reclamation of abandoned mine lands in Public Service Commission, 2024 Dakota Collieries AML, Project, Case No. AM-23-323.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Case Nos. ER20-2441-002, et al
Federal Energy Regulatory
Commission (FERC)

Mr. Christmann: I move the Commission intervene and delegate authority to Commissioner Christmann to approve and file on behalf of the Commission in FERC Case Nos. ER20-2441-002, et al.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. DM-23-238
Public Service Commission
City of Kenmare
Damage Prevention Enforcement

Ms. Haugen-Hoffart: I move the Commission adopt the Order on Consent Agreement in Public Service Commission, City of Kenmare, Damage Prevention Enforcement, Case Numbers DM-23-238 and DM-23-239.

Case No. DM-23-239
Public Service Commission
City of Kenmare
Damage Prevention Enforcement

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-21-142
Public Service Commission
Montana-Dakota Utilities Co.
Damage Prevention Enforcement

Ms. Haugen-Hoffart: I move the Commission adopt the Order on Consent Agreement in Public Service Commission, Montana-Dakota Utilities Co., Damage Prevention Enforcement, Case Numbers PU-21-142 and DM-23-241.

Case No. DM-23-241
Public Service Commission
Montana-Dakota Utilities Co.
Damage Prevention Enforcement

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

Case No. GS-23-242
Public Service Commission
Aux Sable Midstream LLC
Pipeline Safety Enforcement

Ms. Haugen-Hoffart: I move the Commission adopt the Order on Notice of Probable Violation in Public Service Commission, Aux Sable Midstream LLC, Pipeline Safety Enforcement, Case No. GS-23-242.

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

Case No. PU-23-283
Otter Tail Power Company
AMDT Cost Recovery 2024
Rates

Ms. Haugen-Hoffart: I move the Commission adopt the Order in Otter Tail Power Company, AMDT Cost Recovery 2024, Rates, Case No. PU-23-283.

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

Case No. PU-23-337
Northern States Power Company
Saver Switch Tariff Modifications
Tariff

Ms. Haugen-Hoffart: I move the Commission issue a Notice of Opportunity for Hearing in Northern States Power Company, Saver Switch Tariff Modifications, Tariff, Case No. PU-23-337.

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

Case No. PU-23-340
Montana-Dakota Utilities Co.
Renewable Resource Cost Recovery
Rates

Ms. Haugen-Hoffart: I move the Commission suspend the rates, reduce the application fee to \$10,000 and issue a Notice of Opportunity for Hearing in Montana-Dakota Utilities Co., Renewable Resource Cost Recovery, Rates, Case No. PU-23-340.

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

Case No. PU-23-342
Otter Tail Power Company
2023 Electric Rate Increase
Application

Ms. Haugen-Hoffart: I move the Commission suspend the tariffs and rates in Otter Tail Power Company, 2023 Electric Rate Increase, Application, Case No. PU-23-342.

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

Case No. PU-23-343
Otter Tail Power Company
2024 Renewable Resource Cost
Recovery Adj. Factor
Rates

Ms. Haugen-Hoffart: I move the Commission suspend the rates and issue a Notice of Opportunity for Hearing in Otter Tail Power Company, 2023 Renewable Resource Cost Recovery Adj. Factor, Rates, Case No. PU-23-343.

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

Case No. PU-23-339
Montana-Dakota Utilities Co.
Generation Resource Cost Recovery
Rates

Ms. Haugen-Hoffart: I move the Commission suspend the rates, reduce the application fee to \$10,000 and issue a Notice of Opportunity for Hearing in Montana-Dakota Utilities Co., Generation Resource Cost Recovery, Rates, Case No. PU-23-339.

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

Case No. PU-23-255
Tesoro Great Plains Gathering &
Marketing LLC
2.4-mile Renewable Diesel Pipeline -
Stark County
Siting Application

Ms. Fedorchak: I move the Commission adopt the Findings of Fact, Conclusions of Law and Order in Tesoro Great Plains Gathering & Marketing LLC, 2.4-mile Renewable Diesel Pipeline – Stark County, Siting Application, Case No. PU-23-255.

Ms. Haugen-Hoffart: I second the motion.
Roll Call: All voting "Aye."

Case No. PU-23-347
Dakota Gasification Company
Transfer – Corridor #223 & Route #233
Siting Application

Ms. Fedorchak: I move the Commission assess an application fee of \$10,000 and issue a Notice of Opportunity for Hearing in Dakota Gasification Company, Transfer – Corridor #223 & Route #233, Siting Application, Case No. PU-23-347.

Ms. Haugen-Hoffart: I second the motion.
Roll Call: All voting "Aye."

Case No. PU-23-341
Montana-Dakota Utilities Co.
2023 Natural Gas Rate Increase
Application

Ms. Fedorchak: I move the Commission suspend the tariffs and rates in Montana-Dakota Utilities Co., 2023 Natural Gas Rate Increase, Application, Case No. PU-23-341.

Ms. Haugen-Hoffart: I second the motion.
Roll Call: All voting "Aye."

Case No. PU-23-342
Otter Tail Power Company
2023 Electric Rate Increase
Application

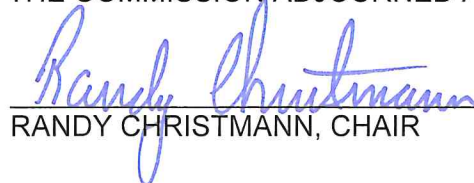
Mr. Christmann: I move the Commission retain Mitch Armstrong and Jon Lengowski as advocacy staff counsel in Otter Tail Power Company, 2023 Electric Rate Increase, Application, Case No. PU-23-342.

Ms. Haugen-Hoffart: I second the motion.
Roll Call: All voting "Aye."

ATTEST


Executive Secretary

THE COMMISSION ADJOURNED AT 11:23 A.M.


RANDY CHRISTMANN, CHAIR