

December 13, 2023

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on December 13, 2023, 9:00 a.m. Present were Commissioners Christmann, Haugen-Hoffart and Fedorchak. Due to another commitment immediately following this meeting, Commissioner Christmann authorized Sheila Zacher to sign on his behalf.

Minutes

Mr. Christmann: I move the minutes of November 29, 2023, be approved.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Compliance Division  
Auctioneer and Auction Clerk Update

Mr. Christmann: I move the Commission acknowledge the cancellation of the following auction licenses, at the request of the licensee, during the months of October, November, and December 2023.

**AUCTIONEER LICENSE**

<b>Auctioneer Name</b>	<b>Location</b>	<b>Effective Date</b>
Douglas Scott Erickson	Fargo, ND	10/21/2023
Mike Herman	Mandan, ND	10/27/2023
James Eliot Thorpe	Aberdeen, SD	11/19/2023
Gary Togstad	Casper, WY	11/24/2023
Daryl John Lies	Douglas, ND	11/29/2023
Drew P. Haugland	Ambrose, ND	12/9/2023
Joseph Schonert	Baldwin, ND	12/13/2023

**AUCTION CLERK LICENSE**

<b>Auction Clerk Name</b>	<b>Location</b>	<b>Effective Date</b>
Gill Land Company, LLC	Timber Lake, SD	11/2/2023
Daryl John Lies	Douglas, ND	11/29/2023
Joseph Hickel dba Hickel Auction Service	Ray, ND	12/13/2023

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-22-340  
Otter Tail Power Company  
Arnold Anderson - Richland County  
Public Convenience & Necessity

Mr. Christmann: I move the Commission issue a Notice of Opportunity for Hearing in Otter Tail Power Company, Arnold Anderson – Richland County, Public Convenience & Necessity, Case No. PU-22-340.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Case No. DM-23-326  
Public Service Commission  
Precision Underground, Inc.  
Damage Prevention Enforcement

Mr. Christmann: I move the Commission close Public Service Commission, Precision Underground, Inc., Damage Prevention Enforcement, Case No. DM-23-326.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-23-334  
Montana-Dakota Utilities Co.  
Delaine Scherbenske - McIntosh  
County  
Public Convenience & Necessity

Mr. Christmann: I move the Commission issue a Notice of Opportunity for Hearing in Montana-Dakota Utilities Co., Delaine Scherbenske – McIntosh County, Public Convenience, Case No. PU-23-334.

Ms. Haugen-Hoffart: 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 issue a siting application fee final refund in the amount of \$72,427.88 in Ruso Wind Partners, LLC, Ruso Wind Project – Ward and McLean Counties, Siting Application, Case No. PU-19-28.

Ms. Haugen-Hoffart: 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

Mr. Christmann: I move the Commission issue a siting application fee final refund in the amount of \$28,922.68 in Ruso Wind Partners, LLC, 230kV Transmission Line – McHenry and Ward Cntys, Siting Application, Case No. PU-19-29.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-23-256  
Otter Tail Power Company  
Ashtabula III Wind Upgrade Project -  
Barnes Cnty  
Siting Exclusion Certification

Mr. Christmann: I move the Commission issue a siting application fee final refund in the amount of \$24,852.64 in Otter Tail Power Company, Ashtabula III Wind Upgrade Project – Barnes Cnty, Siting Exclusion Certificate, Case No. PU-23-256.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-23-152  
Falkirk Mining Company  
Bond Release 6, Permit NAFK-8705  
Application

Mr. Christmann: I move the Commission approve Bond Release No. 6 for Surface Coal Mining Permit NAFK-8705, held by the Falkirk Mining Company for the Falkirk Mine, to release all reclamation liabilities on 642.2 acres of land located in Section 36, T146N, R83W, McLean County, effective January 15, 2024, unless a formal hearing is requested, in Falkirk Mining Company, Bond Release 6, Permit NAFK-8705, Application, Case No. RC-23-152.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-21-152  
Northern States Power Company  
Advance Prudence - 460MW Solar-  
Sherburne Cnty. MN  
Application

Ms. Haugen-Hoffart: I move the Commission adopt the Findings of Fact, Conclusions of Law, and Order in Northern States Power Company, Advance Prudence - 460 MW Solar - Sherburne Cnty. MN, Application, Case No. PU-21-152.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-23-307  
Northern States Power Company  
Service Reconnection Charge &  
Manual Meter Reading  
Tariff and Rates

Ms. Haugen-Hoffart: I move the Commission adopt the Order in Northern States Power Company, Service Reconnection Charge & Manual Meter Reading, Tariff and Rates, Case No. PU-23-307.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-23-312  
Northern States Power Company  
Renewable Resource Cost Recovery  
(2024)  
Rates

Ms. Haugen-Hoffart: I move the Commission adopt the Order in Northern States Power Company, Renewable Resource Cost Recovery, Rates, Case No. PU-23-312.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-23-315  
Northern States Power Company  
Transmission Facility Cost Recovery  
(2024)  
Rates

Ms. Haugen-Hoffart: I move the Commission adopt the Order in Northern States Power Company, Transmission Facility Cost Recovery (2024), Rates, Case No. PU-23-315.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-23-320  
Montana-Dakota Utilities Co.  
Applied Digital 2nd Office - Dickey  
County  
Public Convenience & Necessity

Ms. Haugen-Hoffart: 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 Administrative Code Section 69-02-04-04 and issue a Notice of Opportunity for Consolidated Hearing in Montana-Dakota Utilities Co., Applied Digital 2nd Office - Dickey County, Public Convenience and Necessity, Case No. PU-23-320 and Montana-Dakota Utilities Co., Applied Digital 2nd Data Processing Extension, Public Convenience and Necessity, Case No. PU-23-321.

I further move the Commission assess application fees of \$10,000 in Montana-Dakota Utilities Co., Applied Digital 2nd Office - Dickey County, Public Convenience & Necessity, Case No. PU-23-320 and Montana-Dakota Utilities Co., Applied Digital 2nd Data Processing Extension, Public Convenience and Necessity, Case No. PU-23-321.

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 adopt the Order on Interim 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-23-176  
Otter Tail Power Company  
Amend - Luverne Wind Upgrade  
Siting Application

Ms. Fedorchak: I move the Commission adopt the Amended Order in Otter Tail Power Company, Amend - Luverne Wind Upgrade, Siting Application, Case No. PU-23-176.

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

Case No. PU-23-294  
Montana-Dakota Utilities Co.  
Rate Schedule - Kindred Expansion  
Surcharge  
Tariff and Rates

Ms. Fedorchak: I move the Commission reduce the application fee to \$10,000 and issue a Notice of Opportunity for Hearing in Montana-Dakota Utilities Co., Rate Schedule - Kindred Expansion Surcharge, Tariff and Rates, Case No. PU-23-294.

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

Case No. PU-23-317  
Oliver Wind IV, LLC  
200 MW Oliver Wind IV Energy  
Center-Oliver County  
Siting Application

Ms. Fedorchak: 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 or fact, I move the Commission consolidate for hearing, under North Dakota Administrative Code section 69-02-04-04, Oliver Wind IV, LLC, 200 MW Oliver IV Energy Center-Oliver County, Siting Application, Case No. PU-23-317, and Oliver Wind IV, LLC, 345-kV Transmission Line - Oliver & Mercer, Siting Application, Case No. PU-23-318.

I further move the Commission deem the applications complete and issue a Notice of Filings and Notice of Consolidated Hearing in Oliver Wind IV, LLC, 200 MW Oliver IV Energy Center-Oliver County, Siting Application, Case No. PU-23-317, and Oliver Wind IV, LLC, 345-kV Transmission Line - Oliver & Mercer, Siting Application, Case No. PU-23-318.

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

Case No. PU-23-338  
Basin Electric Power Cooperative  
345-kV Transmission Line Project -  
Williams County  
Siting Application

Ms. Fedorchak: I move the Commission deem complete the combined application for a corridor certificate and a route permit filed on October 18, 2023, and issue a Notice of Filing and Notice of Hearing in Basin Electric Power Cooperative, 345-kV Transmission Line Project - Williams County, Siting Application, Case No. PU-23-338.

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

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

Ms. Fedorchak: I move the Commission adopt the Order on Interim 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."

ATTEST

THE COMMISSION ADJOURNED AT 10:29 A.M.

  
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Executive Secretary

  
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RANDY CHRISTMANN, CHAIR