

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Cenex Pipeline Company
Transfer of Cert. No. 61 & Route Permit No. 70
Application

Case No. PU-628-00-102

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

July 6, 2000

Preliminary Statement

On March 6, 2000, Cenex Pipeline, LLC, P O Box 909, Laurel, Montana 59044-0909, filed an application for approval to transfer to Cenex Pipeline, LLC the Certificate of Corridor and the Route Permit currently held by Cenex Pipeline Company for a petroleum products pipeline from Minot, North Dakota, to West Fargo North Dakota.

Cenex Pipeline Company merged with Cenex Pipeline, LLC effective May 28, 1998. Cenex Pipeline, LLC (Cenex0 is the surviving entity in that merger. Cenex is a Minnesota limited liability company and is authorized to do business as a foreign corporation in North Dakota.

On April 26, 2000, the Commission issued a Notice of Opportunity for Hearing inviting written comments and requests for hearing on these applications by June 1, 2000. No comments or requests for hearing were received.

On May 24, 2000, Cenex filed the affidavit of Daniel Knepper in support of its application.

The factors to be considered in this matter are:

1. Does Cenex agree to comply with the terms and conditions of the siting certificate and permit currently issued to Cenex Pipeline Company under N.D.C.C. Chapter 49-22?
2. Is the transfer to Cenex in the public interest?

Findings of Fact

1. Certificate of of Site Compatability for Transmission Facility Corridor No. 61 and Route Permit for the Construction of a Transmission Facility No. 70 were issued to Cenex Pipeline Company on May 21, 1991 in Case No. PU-126-90-625.

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Findings of Fact, Conclusions of Law and
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CC: Comm Legal PUD (3)

2. The pipeline consists of approximately 256.6 miles of 8.625 inch pipe which carries refined petroleum products from Minot, North Dakota, in a southeasterly direction to West Fargo, North Dakota. The facility is located in Ward, McHenry, Pierce, Wells, Eddy, Foster, Griggs, Steele, Barnes, and Cass Counties.

4. The May 24, 2000, affidavit of Daniel Knepper states that Cenex agrees to comply with the terms and conditions of the siting certificate and permit currently issued to Cenex Pipeline Company under N.D.C.C. Chapter 49-22.

5. The affidavit further states that the transfer will not result in significant changes in the manner of operation of the pipeline system and will have no adverse impact upon the citizens of the State of North Dakota. The application states that the transfer will have no present or contemplated adverse effect on the transportation rates currently in effect for the transportation of petroleum products in the pipeline.

6. The transfer of Certificate of of Site Compatability for Transmission Facility Corridor No. 61 and Route Permit for the Construction of a Transmission Facility No. 70 to Cenex is in the public interest.

From the foregoing Findings of Fact the Commission now makes the following:

Conclusions of Law


1. The Commission has jurisdiction over the parties and the subject matter of this proceeding.
3. The application should be granted.

From the foregoing Findings of Fact and Conclusions of Law the Commission now makes the following:

Order

The application of Cenex Pipeline, LLC to transfer to Cenex Pipeline, LLC the Certificate of of Site Compatability for Transmission Facility Corridor No. 61 and Route Permit for the Construction of a Transmission Facility No. 70 currently held by Cenex Pipeline Company is GRANTED.

PUBLIC SERVICE COMMISSION



Susan E. Wefald Bruce Hagen Leo M. Reinbold
Commissioner President Commissioner

PUBLIC SERVICE COMMISSION

STATE OF NORTH DAKOTA

**First Reissued
Route Permit for the Construction of a Transmission Facility
Permit Number 70**

This is to certify that the Commission has designated a transmission facility route for Cenex Pipeline, LLC which is described as follows:

approximately 256.6 miles of 8.625 inch O.D. refined petroleum products pipeline originating at Minot in the SE 1/4 of Section 20, Township 155N, Range 83W, in Ward County, ND, and proceeding in a southeasterly direction through McHenry, Pierce, Wells, Eddy, Foster, Griggs, Steele, Barnes and Cass Counties, ending in West Fargo, SW 1/4 of Section 4, Township 139N, Range 49W.

The facility may be routed in compliance with the transmission facility routing criteria. This permit is reissued in Case No. PU-126-00-102, and is subject to the conditions and limitations noted in the commission order dated May 21, 1991 in Case No. PU-126-90-625.

Bismarck, North Dakota, July 6, 2000.

ATTEST:

PUBLIC SERVICE COMMISSION


Executive Secretary


Commissioner

PUBLIC SERVICE COMMISSION

STATE OF NORTH DAKOTA

**First Reissued
Certificate of Site Compatibility for Transmission Facility Corridor
Certificate Number 61**

This is to certify that the Commission has designated a transmission facility corridor for Cenex Pipeline, LLC which is described as follows:


approximately 256.6 miles of 8.625 inch O.D. refined petroleum products pipeline originating at Minot in the SE 1/4 of Section 20, Township 155N, Range 83W, in Ward County, ND, and proceeding in a southeasterly direction through McHenry, Pierce, Wells, Eddy, Foster, Griggs, Steele, Barnes and Cass Counties, ending in West Fargo, SW 1/4 of Section 4, Township 139N, Range 49W.

The facility may be routed in this designated corridor in compliance with the transmission facility routing criteria. This certificate is reissued in Case No. PU-126-00-102 and is subject to the conditions and limitations noted in the commission order dated May 21, 1991, in Case No. PU-126-90-625.

Bismarck, North Dakota, July 6, 2000.

ATTEST:

PUBLIC SERVICE COMMISSION


Executive Secretary


Commissioner