



Public Service Commission  
State of North Dakota

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COMMISSIONERS

Susan E. Wefald, President  
Kevin Cramer  
Tony Clark

Executive Secretary  
Darrell Nitschke

November 26, 2008

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Mr. Jeffrey D. Wiese  
Associate Administrator for Pipeline Safety  
U.S. Department of Transportation  
Pipeline and Hazardous Materials Safety Administration, PHP-1  
East Building, 2nd Floor  
1200 New Jersey Ave. SE  
Washington, DC 20590

RE: Waiver of 49 CFR Subsection 198.13(e)

Dear Mr. Wiese:

This is to formally convey the North Dakota Public Service Commission's waiver of the nine month advance written notification requirement per 49 CFR Subsection 198.13(e) of the performance factors and weights to be assigned to the evaluation of my state's program for Calendar Years (CY) 2009 and 2010. This should allow U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration (PHMSA) to allocate to the North Dakota Public Service Commission's Gas Pipeline Safety Program in CY 2009 its proper share of newly appropriated grant funding, subject to verification using revised criteria that have been reviewed and commented on by the states as specified in the subsection mentioned above.

Please confirm acceptance of this waiver by replying via U.S. mail or to the following e-mail address: [amoch@nd.gov](mailto:amoch@nd.gov). Please contact Alan Moch at this address or by phone at 701-328-2413 if there are questions about this request.

Sincerely,

Kevin Cramer  
Commissioner

cc: Zach Barrett  
Commissioners Wefald and Clark  
Darrell Nitschke, Executive Secretary  
Alan Moch, Director, T&S Division

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Gas Pipeline Safety Grant Waiver Letter