



U.S. Department
of Transportation
**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue SE
Washington DC 20590

Pipeline Safety

2009 Natural Gas Payment Agreement

for

NORTH DAKOTA PUBLIC SERVICE COMMISSION

Please follow the directions listed below:

1. Review the entire document for completeness.
2. Review and have an authorized signatory sign the following pages:
 1. **Page 3, under State Agency.**
 2. **Page 6, under State Agency.**
 3. **If you're allocation is more than \$100,000 then you need to sign the Certification Regarding Lobbying, page 4 and 7.**
3. Fasten all pages with a paper or binder clip - no staples please as this package will be scanned upon it's arrival at PHMSA.
4. Mail the entire document, including this cover page to the following:

**ATTN: Gwendolyn M. Hill
U.S. Department of Transportation
Pipeline & Hazardous Materials Safety Administration
Pipeline Safety, PHP-50
1200 New Jersey Avenue, SE Second Floor E22-321
Washington, D.C. 20590**

FedSTAR Information

**9 GS-08-764 Filed: 5/20/2009 Pages: 3
2009 Natural Gas Payment Agreement**

Electronic Submission Date: 5/19/2009 7:40 AM

Public Service Commission

Alan Moch



PIPELINE SAFETY GRANT PROGRAM - CFDA 20.700

Payment Agreement Number DTPH56-09-G-PHPG32

Grant Period: January 1, 2009 - December 31, 2009

The Department of Transportation agrees to reimburse the State Agency the lesser of \$73,230.00 *or* the product of the State's actual costs and the "Percent Funding" indicated on the Scoring/Allocation Document for costs incurred during this grant period contingent on:

- the actual costs incurred by the State and approved by PHMSA to carry out their Pipeline Safety Program
- the funds available at time of the Year-End reimbursement
- a cap of indirect costs of 20% of the State's actual total program costs

The Department is not obligated to make payments for costs which were incurred by the State but not claimed on the Mid-Year and/or Year-End OMB SF-270 form(s). Costs incurred before or after the grant period are not eligible for Federal reimbursement.

Signature

Associate Administrator for Pipeline Safety

Title

Date

The State Agency (State) agrees to carry out the Pipeline Safety Program to meet the following terms and conditions:

1. State has entered into and maintains a 60105 certification and/or a 60106 agreement for the grant period.
2. State assumes the responsibility for ensuring that the *Guidelines for States Participating in the Pipeline Safety Program* manual (version effective to the grant period) is followed and program funds are accounted for under its provisions.
3. State shall permit representatives of the Department of Transportation and other authorized Federal agencies to review their Pipeline Safety Program and to inspect records, invoices, and other relevant data pertaining to this payment agreement.
4. State signs and submits form "Certification Regarding Lobbying and Disclosure of Lobbying Activities" if grant award is estimated to be \$100,000 or more and form OMB SF-LLL, "Disclosure Form to Report Lobbying", if applicable.
5. State adheres to all terms and assurances within the application package.
6. State must ensure it will provide the remaining costs of their safety program per 49 USC 60107(b).

7. State total expenditures (excluding grants of the United States Government) for the safety program must at least equal the average amount spent for the three fiscal years prior to the fiscal year in which the Secretary makes the payment, as required in 49 CFR 60107(b).
8. State acknowledges that the indirect cost reimbursement is limited to 20% of the actual total program costs per the manual, *Guidelines for States Participating in the Pipeline Safety Program*.
9. State can be reimbursed twice a year, per the schedule described in the first paragraph of this agreement. In July, the state has the option to be reimbursed for costs incurred during the first six months of the grant period (Mid-Year Payment Request). Participation in the Mid-Year Payment Request for Reimbursement is optional. States receiving reimbursement must submit a Year-End Payment Request for Reimbursement package; it is a mandatory program. Both payment request processes described here are completed using FedSTAR with signed paper copies submitted to PHMSA.

NORTH DAKOTA PUBLIC SERVICE COMMISSION

Name of the State Agency

Allen Moch

Signature

Director - Testing & Safety

Title

5-19-09

Date

