



Public Service Commission  
State of North Dakota

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Jeffrey D. Wiese, Associate Administrator for Pipeline Safety  
U.S. Department of Transportation – Pipeline and Hazardous  
Materials Safety Administration  
1200 New Jersey Ave., S.E.  
Washington DC 20590

RE: Suspension of the 3-Year Maintenance Clause

Dear Mr. Wiese,

By this letter, the State of North Dakota, North Dakota Public Service Commission, affirms its need for the suspension of the 3-year maintenance requirement for State pipeline safety programs created by Federal statute at 49 USC § 60107(b). This response is for pipeline safety program expenses for the 2009 calendar year.

As a condition to the suspension of requirement that North Dakota maintain funding levels at the previous 3-year average, the Commission agrees that any and all State funding displaced as a result of the suspension will be dedicated to the pipeline safety program for one or more of the activities listed in your document entitled *State Base Grant – Conditions for Suspension of 49 USC § 60107(b) Requirement*. More specifically, funding displaced will be used to maintain staff knowledge, skills, and abilities through necessary training or developing the damage prevention program.

PUBLIC SERVICE COMMISSION

Kevin Cramer  
Chairman