

**Fahn, Patrick J.**

---

**From:** Kathleen Spilman [kspilman@keitu.com]  
**Sent:** Monday, January 10, 2011 4:15 PM  
**To:** Michael S. Higgins; Fahn, Patrick J.; Lawrence Bender; j.pottridge@gmail.com;  
broice@hettingerllc.com  
**Subject:** FINAL Meeting Minutes - PU-10-555 Hiland Operating NatGas Pipeline Preconstruction Meeting  
**Attachments:** PU-10-555 PreConstn Meeting Minutes FINAL.pdf

Final minutes from last week's preconstruction meeting. Only one change from the draft on #5 – Pat Fahn clarified that the open margin on the lower right hand corner of documents submitted to the PSC need only occur on the first page.

Note to Pat Fahn – if you need me to, I can submit a hardcopy of this by US mail. But my signature does appear on the electronic version so hopefully this will be sufficient.

Kathleen M Spilman, PE  
Managing Director  
Keitu Engineers & Consultants, Inc.  
2610 Old Red Trl NW Ste C; PO Box 98  
Mandan ND 58554-0098  
(701) 667-1800 [www.keitu.com](http://www.keitu.com)

## ***PreConstruction Conference Minutes***

---

Scheduled: January 4, 2011 10:00 am Central Time (duration from 10:08 to 10:37 am) All participants attended via teleconference and included:

Patrick Fahn  
[pfahn@nd.gov](mailto:pfahn@nd.gov)  
Manager - Director-Compliance and Competitive Markets  
ND Public Service Commission  
(701) 328-4077 (o)

Michael S. Higgins  
[mhiggins@hilandpartners.com](mailto:mhiggins@hilandpartners.com)  
Director Project Management  
Hiland Operating  
(580) 603-2598 (c) (580) 616-2023 (o)

Jason Pottridge  
[j.pottridge@gmail.com](mailto:j.pottridge@gmail.com)  
Project Manager for Hiland Partners  
Renegade Gas Services  
(501) 253-7766

Brian Roice  
[broice@hettingerllc.com](mailto:broice@hettingerllc.com)  
Project Manager  
Hettinger Welding – Project Construction Contractor  
(307) 660-5313 (c)

Kathleen Spilman  
[kspilman@keitu.com](mailto:kspilman@keitu.com)  
Managing Director  
Keitu Engineers & Consultants, Inc.  
(701) 667-1800

Lawrence Bender  
[lbender@fredlaw.com](mailto:lbender@fredlaw.com)  
Attorney for Hiland Operating, LLC  
Fredrikson & Byron, P.A.  
(701) 221-4020

All attendees acknowledged having copies of the four documents provided previously via email by Mr. Fahn of the ND Public Service Commission staff which included (1) Findings of Fact, Conclusions of Law and Order; (2) Tree and Shrub Mitigation Specifications (3) Certification Relating to Order Provisions; and (4) Penalties associated with Energy Conversion and Transmission Facility Siting Act.

Mr. Fahn lead the review, covering the provisions of the Certification Relating to Order Provisions item by item, all items listed except #2 having to do with the preconstruction conference, which was being satisfied by the teleconference in progress. The following items prompted project-specific discussions:

- #3 No local ordinances impacting the project were identified as reported by Hiland representatives.
- #4 Hiland representatives reported that they had obtained all necessary project permits; Lawrence Bender was to verify all permits were complete and copies provided to the PSC.
- #5 Michael Higgins with Hiland will be responsible to file weekly status report with the PSC. At Michael Higgins' request, Patrick Fahn will send an example of a suitable report format. He

## ***PreConstruction Conference Minutes***

---

reminded them to provide a 1.3 inch margin at the bottom of the report pages, especially the first page for the PSC staff to apply an identification label to the document. The report was to be emailed to the PSC's general email address of ndpsc@nd.gov on the same day of each subsequent week, and was to include in the subject line PSC case number of PU-10-555.

- #6 Minimum depth specifications for pipeline depth were acknowledged by Michael Higgins.
- #16 Michael Higgins confirmed double ditching method would be used by the project.
- #20 Kathleen Spilman confirmed that the tree and shrub count had been completed.
- #26 Patrick Fahn asked for a designated contact to work with if any complaints were received by the PSC. Michael Higgins indicated he would be responsible to resolve any complaints.
- #27 Michael Higgins reported that engineering drawings were available only for the aboveground project structures; and that survey plats were available in ArcView format. Patrick Fahn indicated that the files were to be sent the Commission when requested.

Also specifically discussed was item #15 on page 4 of the project order, last sentence which identifies one archeological site was identified in the survey corridor that was to be avoided. Mr. Fahn asked if all parties were aware of its existence and location. Kathleen Spilman indicated that she would send an email to all participants with a map outlining the location of the site.

Patrick Fahn also reviewed the penalties of the Energy Conversion and Transmission Facility Siting Act, specifically that the commission had the authority to revoke or suspend the certificate, that non-conformance with the subject an individual to a Class A misdemeanor, and civil penalties of up to \$10,000 a day to a maximum of \$200,000. And indicated the Commission had the authority to stop the project.

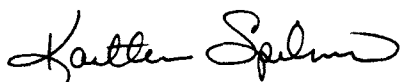
The discussion was opened for questions. Higgins asked which day of the week was convenient for weekly status report. Fahn indicated any day was suitable, as long as it was the same day weekly. He suggested selecting a convenient day of the week, and submitting the first status report early, if necessary, on that day to set up a suitable routine.

Higgins asked for specifics of the preconstruction notice procedure. Fahn indicated an email to him was sufficient. Higgins asked if there were any issues with giving that notice immediately. Fahn indicated we were waiting on confirmation from Lawrence Bender that all permitting requirements had been satisfied. Lawrence reported he would follow-up on their status that same day and would notify parties via email.

Patrick Fahn also issued a caution to project personnel to make the proper requests for underground utility locates given a recent incident with another project. "CALL BEFORE YOU DIG"

Kathleen Spilman would prepare and issue minutes for this meeting to all participants via email as a draft format – all corrections and additions were to be directed to her. If no additional comments or corrections were submitted within 48 hours of the draft document being issued, she would finalize them and issue.

Respectfully submitted



Kathleen Spilman