

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Montana-Dakota Utilities Co.
Waiver of the Federal Pipeline
Safety Regulations
Application

Case No. GS-10-585

AFFIDAVIT OF SERVICE BY CERTIFIED & REGULAR MAIL

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Cara DeSaye deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **10th** day of **February, 2011**, she deposited in the United States Mail, at Bismarck, North Dakota, **one** envelope with certified postage, return receipt requested, fully prepaid, securely sealed and containing a photocopy of:

Notice of Opportunity for Hearing and Notice of Informal Hearing

The envelope was addressed as follows:

Scott Besmer
Senior Engineer
Montana-Dakota Utilities Co.
400 North Fourth Street
Bismarck ND 58501

Cert. No. 7009 2820 0002 9238 4529

Cara DeSaye further deposes and says that on the **10th** day of **February, 2011**, she deposited in the United States Mail, Bismarck, North Dakota, **one** envelope by regular mail, with postage fully prepaid, securely sealed, containing a photocopy of the same.

The envelope was addressed as follows:

Daniel S. Kuntz
Associate General Counsel
MDU Resources Group, Inc.
PO Box 5650
Bismarck, ND 58506-5650

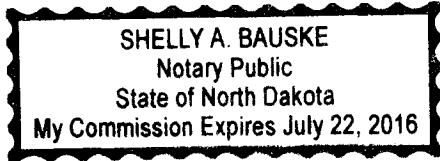
Each address shown is the respective addressee's last reasonably ascertainable post office address.

Subscribed and sworn to before me
This 10th day of February, 2011.

Cara Debye

Shelly A Bauske
Notary Public

SEAL



**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Montana-Dakota Utilities Co., a Division of MDU
Resources Group, Inc.
Waiver of the Federal Pipeline Safety Regulations
Application**

Case No. GS-10-585

**NOTICE OF OPPORTUNITY FOR HEARING AND
NOTICE OF INFORMAL HEARING**

February 9, 2011

On September 14, 2010, Montana-Dakota Utilities Co. (MDU) filed a application for a waiver of Title 49 Code of Federal Regulations (CFR) Part 192 section 285(c), adopted by reference under North Dakota Administrative Code section 69-09-03-02 relating to requalification requirements for a person making plastic pipe joints. On December 15, 2010 and January 7, 2011, MDU filed revisions to its request for waiver.

Under 49 CFR 192.285(c):

A person must be requalified under an applicable procedure, if during any 12-month period that person (1) does not make any joints under that procedure; or (2) has 3 joints or 3 percent of the joints made, whichever is greater, under that procedure that are found unacceptable by testing under § 192.513.

Montana-Dakota Utilities Co. proposes that a person be requalified under an applicable procedure, at least once each calendar year at intervals not exceeding 15 months, if that person does not make any joints under that procedure in the preceding calendar year or has 1 joint that is found to be unacceptable by testing under 49 CFR 192.513. Montana-Dakota Utilities Co. asserts that this proposal would enable them to employ the same testing schedule in all of its operating areas, thereby promoting administrative efficiency and a proper allocation of resources.

Under the United States Department of Transportation's Guideline for States Participating in the Gas Pipeline Safety Program, the Commission may grant a waiver of a pipeline safety regulation subject to the concurrence of the Pipeline and Hazardous Materials Safety Administration. A waiver may be granted when it is not practical to comply with a regulation of general applicability.

The issues to be considered in this matter are:

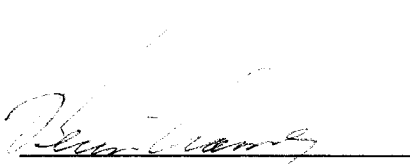
1. Whether it is practical for Montana-Dakota Utilities Co. to comply with 49 CFR 192.285(c).
2. Whether a waiver of 49 CFR 192.285(c) should be granted for Montana-Dakota Utilities Co.

Those interested are invited to comment on the application in writing. Persons desiring a hearing must file a written request identifying their interest in the proceeding(s) and the reasons for requesting a hearing. **Comments and requests for hearings must be received by March 25, 2011.** If deemed appropriate, the Commission can determine this matter without a formal hearing.

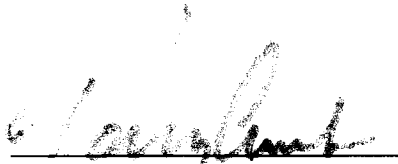
An **informal hearing** on this matter has been scheduled for **March 23, 2011 at 1:30 p.m. CDT** in the Commission Hearing Room on the 12th Floor of the State Capitol in Bismarck.

For more information contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400; or Relay North Dakota 1-800-366-6888 TTY. If you require any auxiliary aids or services, such as readers, signers, or Braille materials, please notify the Commission, at (701) 328-2400, or Relay North Dakota TTY: 1-800-366-6888 at least 24 hours in advance.

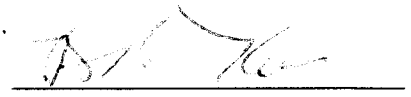
PUBLIC SERVICE COMMISSION



Kevin Cramer
Commissioner



Tony Clark
Chairman



Brian P. Kalk
Commissioner