

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Montana-Dakota Utilities Co., a Division of MDU
Resources Group, Inc.
Heskett Station Natural Gas Pipeline – Morton County
Siting Application

Case No. PU-11-680

CERTIFICATION RELATING TO N.D.C.C. §49-22-16.3

I am Michael J. Gardner, a representative of Montana-Dakota Utilities Company, a Division of MDU Resources Group, Inc. ("Company") with authority to bind the Company to requirements to be set forth by the Commission in its Order and I certify that the Company agrees to the following if it seeks an adjustment to the designated route (route adjustment) before or during construction of the pipeline under N.D.C.C. §49-22-16.3:

1. Company will specifically identify the subsection of N.D.C.C. §49-22-16.3 under which it is requesting the adjustment.
2. Before conducting any construction activities for any route adjustment within the designated corridor, Company will file with the Commission maps meeting the requirement of N.D. Admin. Code § 69-06-04-01(n) and identifying:
 - a. the designated route and the route adjustment;
 - b. the designated corridor;
 - c. all exclusion and avoidance areas within the designated corridor area containing the route adjustment ;
 - d. all landowners and their associated property within the designated corridor area containing the route adjustment; and
 - e. all government entities with an interest in the designated corridor area containing the route adjustment.
3. Before conducting any construction activities for any route adjustment outside the designated corridor, maps filed with the Commission under paragraph 2 will include the following additional information:
 - a. the length of the route outside the designated corridor;
 - b. the corridor adjustment for the route adjustment;
 - c. the width of the adjusted corridor;
 - d. identification of all exclusion and avoidance areas within the adjusted corridor;
 - e. identification of all landowners and their associated property within the adjusted corridor; and
 - f. identification of all government entities with an interest in the adjusted corridor.


4. Company will provide the name and contact information for each: (1) owner of real property on which the route adjustment and any adjusted corridor will be located; (2) owner of real property within five hundred (500) feet of the route adjustment and any adjusted corridor, if different than those identified in (1) above; (3) owner of real property on which any affected avoidance area is located; and (4) any applicable governmental entity with an interest in the adjustment area, property adjacent to the route adjustment and any adjusted corridor, and any affected avoidance area. Company will also provide a description of the nature of each entity's interest sufficient for the Commission and Commission staff to evaluate potential impacts.
5. Company will provide sufficient supporting documentation indicating that no landowner or interested government entity opposes the adjustment. If a landowner or interested government entity is opposed to the route adjustment, Company will provide documentation from the landowner or government entity stating its objection. If no documentation exists, Company will provide a description of its understanding of the nature of any landowner or government entity objection.
6. If the construction activity associated with the adjustment will not affect any known exclusion or avoidance area, Company will certify in its filing that construction activities will not affect any known exclusion or avoidance areas and will provide all field studies performed to conclude that exclusion or avoidance areas will not be impacted within the revised corridor.
7. If the construction activity associated with the adjustment will impact an avoidance area, Company will provide, before any construction activities are undertaken:
 - a. specific information describing avoidance areas expected to be impacted;
 - b. all field studies performed to conclude that avoidance areas will be impacted;
 - c. specific information describing why Company asserts there is no reasonable alternative to impacting the avoidance area;
 - d. specific information describing why Company asserts there is good cause to impact the avoidance area; and
 - e. specific information about any mitigation measures Company will take.
8. If Company is seeking an adjustment under subsection 2 or 4 of N.D.C.C. §49-22-16.3, Company agrees the initiation of the statutory ten working days time frame for Commission action will not start until Company has been notified in writing, including electronic mail, that all of the information required by law has been received by the Commission. Company further acknowledges that if Commission staff provides written notice, including electronic mail, to the Company within five working days after the Company's filing is complete that full Commission action is necessary to authorize an impact to an avoidance area, staff's written notice to Company that Commission action is necessary initiates the statutory ten working days time frame.

9. If a route adjustment is granted within the original designated corridor or in an adjusted corridor, Company agrees to incorporate and follow all provisions of the Commission's Order designating the original route and corridor unless Company specifically requests relief from a specific provision, and the requested relief is specifically granted.
10. Company certifies that it will comply with the Commission's Order and all applicable laws, rules, and regulations designating the corridor and route with respect to any adjustment.
11. Company understands and agrees that the application of Paragraph 30 of the May 3, 2013 Certification Relating to Order Provisions is amended by this Certification Relating to N.D.C.C. §49-22-16.3 regarding plans to modify the transmission facility or plans to modify the site plan for the transmission facility before or during construction of the transmission facility.

Dated this 28th day of August, 2013.

MONTANA-DAKOTA UTILITIES CO., A DIVISION OF
MDU RESOURCES GROUP, INC.

By



Michael J Gardner

Its

Executive VP- Utility Ops Support