



Public Service Commission

State of North Dakota

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January 15, 2013

Brian R. Bjella
400 East Broadway, Suite 600
PO Box 2798
Bismarck, ND 58502-2798

**RE: Case No. PU-12-819: Tesoro High Plains Pipeline, LLC
Tioga Station Expansion Project – Williams County
Siting Exclusion Certification**

Dear Mr. Bjella,

Thank you for your December 20, 2012 letter notifying the Commission that Tesoro High Plains Pipeline Company LLC ("Tesoro") intends to construct two 145,000 barrel storage tanks, multiple pumps and pipe to storage tanks that will connect to Tesoro's existing pipeline system located in NE1/4 of Section 26, Township 157 North, Range 95 West, in Williams County, North Dakota. You indicate that the existing pipeline has been in service since the 1950s, prior to codification of the North Dakota Energy Conversion and Transmission Facility Siting Act. On January 4, 2013, Tesoro provided a map that shows the proposed location for the new storage tanks and shows that the new tanks are located within an area that is 350 feet on either side of the existing pipeline system.

Under North Dakota Century Code Chapter 49-22-03, before conducting any activities within a width of 350 feet on either side of the centerline of a transmission facility constructed before April 9, 1975, the utility must certify in writing to the commission that the activities will not affect any known exclusion or avoidance area and the utility will comply with all applicable conditions and protections in siting laws and rules and Commission orders previously issued for any part of the facility.

This letter is to acknowledge that Tesoro filed a certification under North Dakota Century Code section 49-22-03(3) stating that (1) Tesoro does not possess a Certificate of Corridor Compatibility nor a Route Permit issued by the Commission for the existing; (2) Tesoro intends to construct the facilities within three hundred fifty feet of either side of the centerline of its existing pipeline; (3) the Exclusion/Avoidance Area Resources Evaluation prepared by Groundwater and Environmental Services, Inc. indicates there

are no exclusion or avoidance areas which would be impacted by the proposed construction; and (4) Tesoro will comply with all applicable conditions and protections in siting laws and rules and Commission orders previously issued for any part of the facility.

If you have questions, please contact me.

Best regards



Patrick Fahn
Director, Compliance and Competitive Markets Division