

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Bakken Oil Express, LLC  
16-Inch Crude Oil Pipeline/Dunn & Stark Counties  
Siting Application

Case No. PU-13-825

AFFIDAVIT OF SERVICE REGULAR OR ELECTRONIC 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 **31<sup>st</sup>** day of **January, 2014**, she deposited in the United States Mail, Bismarck, North Dakota, 9 envelopes by first class mail, fully prepaid and 22 addressees electronically mailed a copy of:

**Notice of Opportunity for Hearing**

The envelopes and electronic mails respectively were addressed as follows:

See attached list.

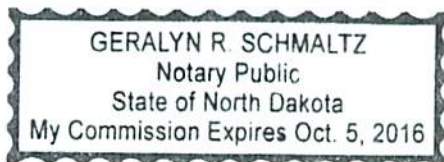
Each post office address shown is the respective addressee's last reasonably ascertainable post office address and each email address is the respective addressee's last reasonably ascertainable electronic mailing address.

  
\_\_\_\_\_

Subscribed and sworn to before me  
this **31<sup>st</sup>** day of **January, 2014**.

  
\_\_\_\_\_  
Notary Public

SEAL



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PUBLIC SERVICE COMMISSION**

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Siting Application**

**Case No. PU-13-825**

**NOTICE OF OPPORTUNITY FOR HEARING**

**January 29, 2014**

On December 30, 2013, the Commission issued an order granting Bakken Oil Express, LLC (BOE) Certificate Number 150 designating a corridor and Permit Number 161 designating a route for the construction, operation, and maintenance of a 38-mile, 16-inch crude oil pipeline and associated facilities in Dunn and Stark Counties, North Dakota.

On January 21, 2014, BOE filed a request to modify the order to allow an increase in pipe diameter from 16 to 20 inches along the approximately 4 southernmost miles of the approved pipeline route. BOE also filed an application for waivers of procedures and time schedules.

In its application for waivers of procedures and time schedules, BOE requests that the Commission waive the following:

- Procedures that require the separate filing of applications for an amended certificate of corridor compatibility and an amended route permit;
- Procedures that require separate notices of such applications;
- Procedures that may require a public hearing or opportunity for hearing on a waiver request; and
- Procedures that may require a public hearing or opportunity for hearing on an application for a certificate of corridor compatibility and an amended route permit.

The issues to be considered in BOE's application for a waiver of procedures and time schedules are:

1. Are the proposed facilities of such length, design, location, or purpose that they will produce minimal adverse effects and that adherence to applicable procedures and time schedules may be waived?
2. Is it appropriate for the Commission to waive any procedures and time schedules as requested in the application?

The issues to be considered in BOE's application for an amended order are:

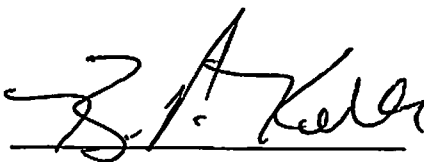
1. Will the location, construction, and operation of the proposed facilities produce minimal adverse effects on the environment and upon the welfare of the citizens of North Dakota?
2. Are the proposed facilities compatible with the environmental preservation and the efficient use of resources?
3. Will the proposed modification minimize adverse human and environmental impact while ensuring continuing system reliability and integrity and ensuring that energy needs are met and fulfilled in an orderly and timely fashion?

Those interested are invited comment on the applications 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 request for hearings must be received by **February 20, 2014**. If deemed appropriate, the Commission can determine this matter without a hearing.

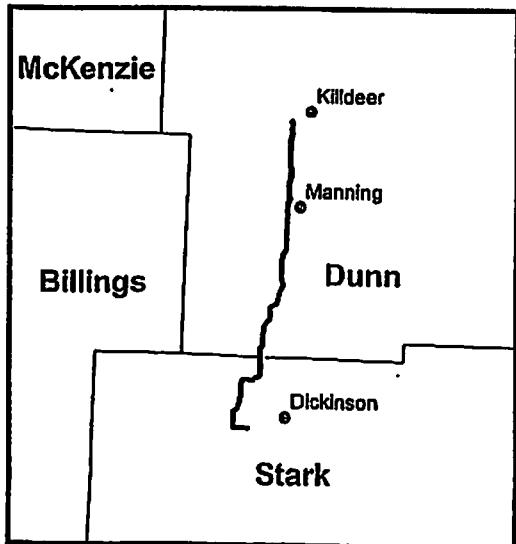
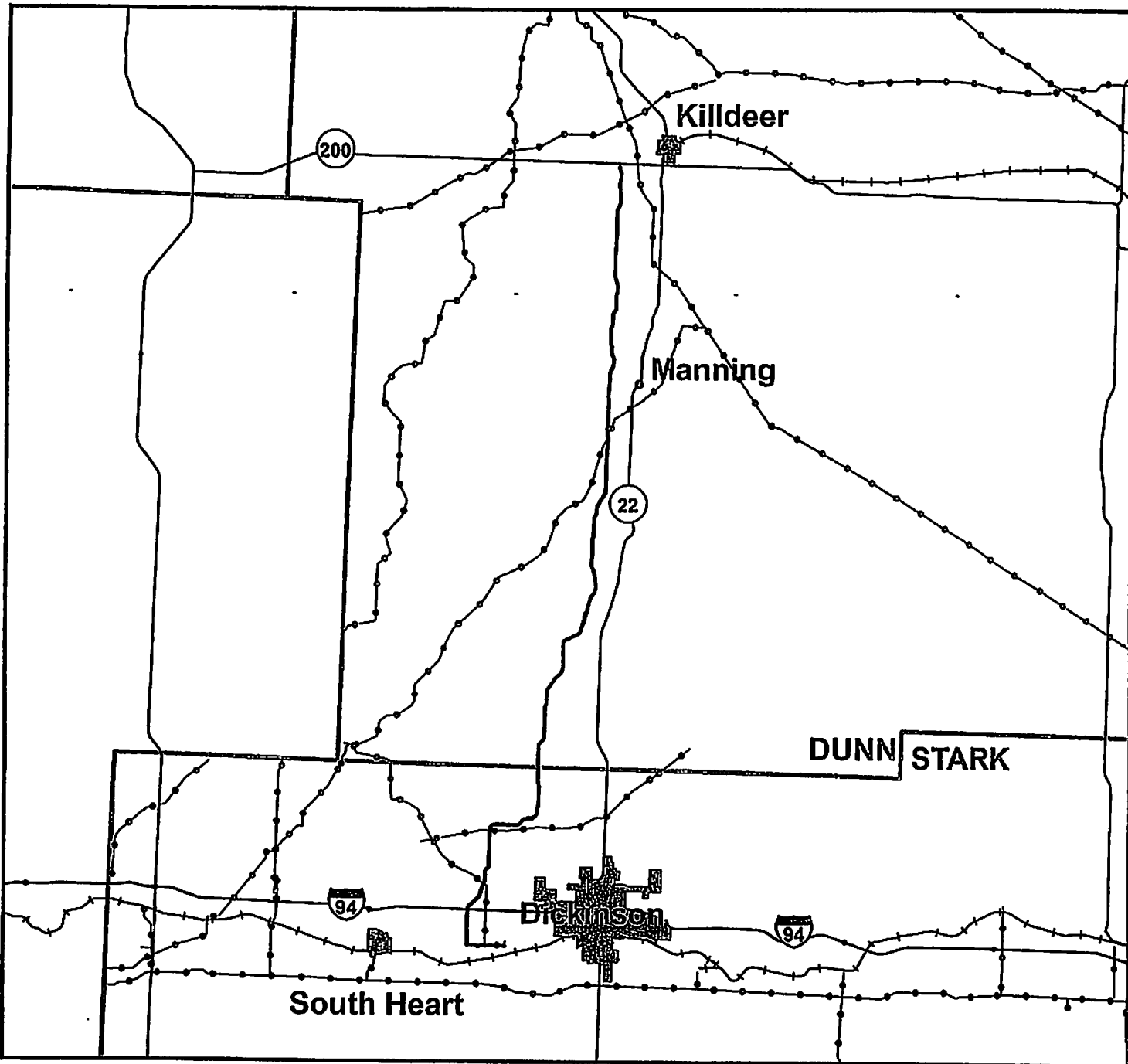
For more information, contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400; or Relay North Dakota 1-800-366-6888 TTY. If you require any auxiliary aids or services, such as readers, signers, or braille materials, please notify the Commission at least 24 hours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

**PUBLIC SERVICE COMMISSION**

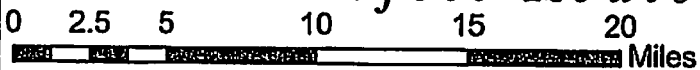
  
Randy Christmann  
Commissioner

  
Brian P. Kalk  
Chairman

  
Julie Fedorchak  
Commissioner



*Bakken Oil Express Pipeline  
Project Route*



- |                   |            |
|-------------------|------------|
| Proposed Pipeline | Railways   |
| Existing Pipeline | City Limit |
| Roads             | Counties   |