



# Public Service Commission

## State of North Dakota

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### COMMISSIONERS

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January 24, 2017

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Lawrence Bender  
Fredrikson & Byron, P.A.  
1133 College Drive, Suite 1000  
Bismarck, ND 58501-1215

**RE: Bakken Oil Express, LLC  
16-Inch Crude Oil Pipeline/Dunn & Stark Counties  
Post Construction Inspection  
Case No. PU-13-825**

Dear Mr. Bender:

The North Dakota Public Service Commission retained a third-party vendor to conduct a post construction inspection under the authority provided in the above referenced case. Below we provide a weblink to the third-party post construction inspection report for your review and a link to the Commission's order in this proceeding.

The construction report can be found at:  
<http://www.psc.nd.gov/database/documents/13-0825/109-010.pdf>

The Commission Order and Certification to Order Provisions can be found at:  
<http://www.psc.nd.gov/database/documents/13-0825/036-040.pdf>

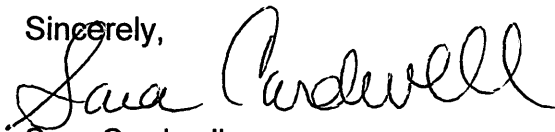
Please refer to the photographs on page 6 (photo 12), page 7 (photo 13), page 8 (photos 15 and 16), and page 9 (photos 15 and 16) of the final Construction Inspection Report. Because these photos, with the exception of photo 12 that needs to be repaired as soon as possible, indicate items that cannot necessarily be demonstrated as repaired at this time, we expect the Company to respond in the mid to late summer time frame (July to August of 2017) demonstrating that reclamation is complete. Provide updated photos as part of your proof of compliance. For the pipeline marker, please demonstrate the marker has been replaced to include a photo no later than the end of May 2017.

As per the letter sent to you on April 1, 2016, the Commission is still waiting receipt of a corrected tree and shrub mitigation plan. This plan must be submitted to the Commission no later than February 24, 2017 or the Commission will take other actions to ensure compliance with sitting laws, the Commission's Order and the Tree and Shrub Mitigation Specifications of the Certification Relating to Order Provisions in this case.

Please respond to these requests within the timeframes noted above.

If you have any questions regarding this letter, please contact me at 701-328-4153.

Sincerely,

A handwritten signature in black ink that reads "Sara Cardwell". The signature is written in a cursive style with a large initial "S" and a long, sweeping underline.

Sara Cardwell  
Public Utility Analyst