

Hamre, John G.

From: -Info-Public Service Commission
Sent: Friday, April 25, 2014 9:01 AM
To: Hamre, John G.
Subject: FW: North Dakota Pipeline Company, LLC: Case No. PU-13-848--Proposed Order

From: Brian R. Bjella [<mailto:bbjella@crowleyfleck.com>]
Sent: Friday, April 25, 2014 8:02 AM
To: -Info-Public Service Commission
Cc: Prescott, Julie S.; Mitch Armstrong; Brian Schmidt
Subject: North Dakota Pipeline Company, LLC: Case No. PU-13-848--Proposed Order

Attached for filing in the captioned case is the proposed Findings of Fact, Conclusions of Law and Order as submitted by North Dakota Pipeline Company, LLC.
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E-mail - Proposed Findings of Fact, Conclusions of Law and Order

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

North Dakota Pipeline Company LLC
24-Inch Crude Oil Pipeline – Sandpiper Project
Siting Application

Case No. PU-13-848

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

April ___, 2014

Appearances

Commissioners Brian P. Kalk, Randy Christmann, and Julie Fedorchak.

Brian Bjella, Attorney at Law, Crowley Fleck PLLP, 100 West Broadway, Suite 250, Bismarck, North Dakota 58501, on behalf of North Dakota Pipeline Company LLC.

Brian Schmidt, Special Assistant Attorney General, Legal Counsel for Public Service Commission, 122 East Broadway Avenue, Bismarck, North Dakota 58502, on behalf of the Public Service Commission.

Julie Prescott, Public Utility Analyst, Public Service Commission, State Capitol, Bismarck, North Dakota 58505, on behalf of the Public Service Commission.

Patrick J. Ward, Administrative Law Judge, PO Box 1065, Bismarck, North Dakota 58502.

Preliminary Statement

Under North Dakota Century Code § 49-22-07, a utility may not begin construction of a transmission facility in the state without first having obtained a certificate of corridor compatibility and route permit. The facility must be constructed, operated and maintained in conformity with the certificate and permit and any terms, conditions or modifications of the certificate or permit.

On October 30, 2013, Enbridge Pipelines (North Dakota) LLC filed with the Public Service Commission (“Commission”) applications for a certificate of corridor compatibility and a route permit (collectively, the “Application”) to authorize construction of a crude oil pipeline and associated facilities (“Project”) located in Williams, Mountrail, Ward, McHenry, Pierce, Towner, Ramsey, Nelson and Grand Forks Counties, North Dakota.

Enbridge Pipelines (North Dakota) LLC included with its Application a request for the Commission to waive and reduce certain procedures and time schedules required under North Dakota Century Code Chapter 49-22, which requires separate filings and applications for a certificate of corridor compatibility and a route permit, separate notices of such applications,

separate hearings on such applications, mandates certain time schedules, and requires a public hearing in each of the affected counties unless the Commission holds one or more consolidated hearings.

On December 30, 2013, the Commission deemed Enbridge Pipelines (North Dakota) LLC's Application complete and issued a Notice of Filings and Notice of Hearings scheduling the following hearings:

February 19, 2014, at 8:30 a.m. CST at Baker Courtroom, University of North Dakota School of Law, 215 Centennial Drive, Grand Forks, North Dakota 58202.

February 20, 2014, at 8:30 a.m. CST at the Robert Fawcett Auditorium, Lake Region State College, 1801 College Drive North, Devils Lake, North Dakota 58301.

February 27, 2014, at 8:30 a.m. CST at the Minot City Council Chambers, 515 Second Avenue Southwest, Minot, North Dakota 58702.

The Notice of Hearings identified the following issues to be considered with respect to the request for a waiver of procedures and time schedules:

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 Notice of Hearings identified the following issues to be considered with respect to the applications for a certificate of corridor compatibility and route permit:

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 facility locations 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?

On February 6, 2014, Enbridge Pipelines (North Dakota) LLC filed with the Commission certain corporate documentation evidencing that Enbridge Pipelines (North Dakota) LLC changed its name to North Dakota Pipeline Company LLC, including a Certificate of Good Standing of North Dakota Pipeline Company LLC ("NDPL") issued by the North Dakota Secretary of State on February 5, 2014.

On February 7, 2014, NDPL filed with the Commission its Supplemental Filing to its Application.

On February 11, 2014, NDPL filed with the Commission its executed Certification Relating to Order Provisions-Transmission Facility Siting, dated February 10, 2014, attached to which was the Tree and Shrub Mitigation Specifications.

On February 14, 2014, NDPL filed with the Commission the prefiled testimony of Art Haskins, Barry Simonson, Greg Schelin, Mark Curwin, and Sara Ploetz.

All public hearings were held as scheduled.

On April 8, 2014, NDPL filed the following Late-Filed Exhibits: Exhibit No. 1 – NDPL LLC Easement Form; Exhibit No. 2 – Oakville Prairie Report; Exhibit No. 3 – Enbridge letter to National Transportation Safety Board regarding progress on safety recommendations since the Kalamazoo, Michigan release; Exhibit No. 4 – Gunderson-Salmonson Reroute; Exhibit No. 5 – Devil’s Lake Water Level Study; and Exhibit No. 6 – Shapefiles of the Sandpiper Route including HDD entry/exit points. Also, on April 22, 2014, in response to the Commission’s request for more information, NDPL supplemented Late-Filed Exhibit No. 6 by filing: (1) a diagram depicting the elevation of the Project for the entire route in North Dakota; and (2) plats depicting boring setbacks at the two Souris River (aka Mouse River) crossings.

Having allowed all interested persons an opportunity to be heard, and having heard, reviewed and considered all testimony and evidence presented, the Commission makes the following:

Findings of Fact

1. NDPL is a Delaware limited liability company, with offices located in Minot, North Dakota.
2. NDPL is authorized to do business in the State of North Dakota, as evidenced by the Certificate of Good Standing issued by the North Dakota Secretary of State dated February 5, 2014.

Size, Type and Preferred Location of Facility

3. The Project consists of approximately 616 miles of new pipeline to be located in North Dakota, Minnesota and Wisconsin. The total approximate cost of the Project is \$2.6 billion, of which \$1.3 billion is attributed to the North Dakota portion. The Project begins at NDPL’s existing Beaver Lodge Station near Tioga, North Dakota, and extends easterly across North Dakota exiting the state just south of the City of Grand Forks.
4. Approximately 300 miles of the Project will be located in North Dakota, approximately 152 miles of which will parallel existing pipelines or utility corridors, with the remaining 148 miles being located in greenfield areas.

5. The Project also includes construction of a new pump station located in Nelson County near Lakota, and upgrades to NDPL's existing Beaver Lodge, Stanley and Berthold Pump Stations.
 - a. The new pump station near Lakota, North Dakota, will be located on approximately 46 acres. Facilities constructed will include an electrical service building, a utility and maintenance building, and a retaining pond.
 - b. At the Beaver Lodge Station, two new 150,000 barrel storage tanks will be constructed. In addition, NDPL has purchased 40 acres of land adjacent to the station, and facilities to be constructed on this additional acreage include a fire water protection system, fire water pond and pump building, and leak detection system.
 - c. At the Stanley Station, one new 80,000 barrel storage tank and one new 55,000 barrel storage tank will be constructed, along with other facilities. In addition, NDPL has purchased 25 acres of land directly east of the existing station, and facilities to be constructed on this additional acreage include a fire water protection system, fire water pond and pump building, and leak detection system.
 - d. At the Berthold Station, one new 300,000 barrel storage tank will be constructed, along with other facilities. All work will be performed within the existing Berthold Classic and Berthold West Station Sites.
6. The pipe will be 24-inch outside diameter, with a .375-inch wall thickness through agricultural and range land and a .438- to .500-inch wall thickness at various crossings. The pipe will be manufactured according to American Petroleum Institute specifications, pursuant to design codes established by 49 Code of Federal Regulations ("CFR") 195. The design pressure for the pipeline is 1480 psig.
7. The property rights NDPL is seeking to acquire for the proposed Project are set forth in its Right-of-Way and Easement Grant form, which was filed with the Commission as Late-Filed Exhibit No. 1.

Need for Facility

8. The purpose of the Project is to address current and future demand for pipeline export capacity from the Williston Basin as a result of the great increase in production in the Bakken and Three Forks Formations. The current pipeline export capacity for NDPL in North Dakota is 355,000 barrels per day. The Project will add an additional capacity of 250,000 barrels per day between the Beaver Lodge and Berthold Stations, 225,000 barrels per day from the Berthold Station to Clearbrook, Minnesota, and 375,000 barrels per day from Clearbrook, Minnesota, to Superior, Wisconsin.

9. According to the evidence presented by NDPL, North Dakota has rapidly become the second largest producer of crude oil in the nation. Production in the Bakken Formation alone has grown from approximately 138,000 barrels per day in January 2008 to over 910,000 barrels per day in August 2013. Forecasts of the Bakken Formation alone indicate production will continue to rise until at least 2026, projected to peak at approximately 1.35 million barrels per day.
10. According to evidence presented by NDPL, production forecasts indicate that existing pipeline capacity will not be sufficient to accommodate production growth by 2017. In addition, the potential for similar production from the Three Forks Formation appears likely. As a result, NDPC has concluded that the Project is needed and is in the public interest, and will provide a timely addition of new pipeline capacity necessary to export Bakken and Three Forks production from the Williston Basin to refining centers in the Midwest and beyond.

Study of Preferred Location(s)

11. In its Application, NDPL defined a two-mile wide study area centered on the preferred pipeline route. Within the study area, NDPL identified an approximate 250 to 450 foot wide environmental survey corridor centered on the preferred pipeline route for the purposes of conducting cultural resource field surveys, biological and wetland/waterbody field surveys and other environmental assessments. NDPL widened its environmental survey corridor beyond 450 feet in certain locations to address known environmental and encroachment issues.
12. NDPL identified a route that utilizes existing right-of-way corridors to the extent reasonably practicable, and currently approximately 50% of the Project's route follows these corridors. In attempting to avoid population centers, specific waterbodies, and major constructability issues, NPDL routed the pipeline around the City of Minot, as well as the City of Devil's Lake, and the surrounding area, which in turn necessitated the majority of the greenfield route.
13. NDPL considered potential alternatives to the proposed Project, including: transporting crude oil by truck; transporting crude oil via other potential pipeline projects; and transporting crude oil by rail. NDPL concluded that none of the potential alternatives considered was preferable to the proposed Project. With respect to utilizing trucks, NDPL estimated that a fleet of 4,354 trucks per day would be required to transport the volumes projected to be carried in the Project, which would not be feasible, economical, or the safest alternative. With respect to other pipelines, NDPL was unable to confirm whether any of the other potential pipeline projects will be constructed. Regardless of the construction of other potential pipeline projects, the Project would still be needed to meet the current and future demands of North Dakota producers and shippers. With respect to rail, the rise in demand for rail service has resulted in insufficient tank car capacity to transport the same barrels of crude per day as would be transported in the Project. In

addition, pipelines are generally considered a safer and more economic transportation alternative. According to U.S. Department of Transportation's safety and accident statistics, pipelines result in fewer spillage incidents and personal injuries than road and rail.

14. NDPL conducted a Class I Literature search on the two-mile wide study area, and a Class II/III Cultural Resource Inventory of the environmental survey corridor. Also, NDPL analyzed environmental data on soils, land use, wetlands, waterbody crossings, and protected plant and animal species.
15. NDPL has consulted with governmental agencies and entities, including the North Dakota State Historic Preservation Office ("SHPO"), North Dakota Parks and Recreation Department ("NDPRD"), North Dakota Game and Fish Department ("NDGFD"), North Dakota Department of Health ("NDDoH"), the United States Fish and Wildlife Service ("USFWS"), the United States Army Corps of Engineers ("USACE"), and the United States Air Force Base in Minot, North Dakota ("USAF"). Input provided includes the following:
 - a. NDPL has been in close communication with the SHPO during its review of the 2013 field survey report and NDPL's recommendations for additional field testing at select sites.
 - b. In a letter dated April 10, 2013, the NDPRD provided location information of sensitive species of concern and recommended implementing measures to protect critical habitats. NDPL will restore a prairie location identified by NDPRD with a native prairie seed mix as recommended by the NDPRD.
 - c. The NDDoH indicated in a February 3, 2014 comment letter that environmental impacts from the Project will be minor and can be controlled by proper construction methods.
 - d. During Project planning meetings, the USFWS encouraged NDPL to avoid or bore beneath wetland features subject to USFWS wetland easements. NDPL has agreed to avoid wetland features subject to USFWS wetland easements
 - e. In a letter dated May 1, 2013, the NDGFD recommended steps to protect wetlands that cannot be avoided, no alterations to existing drainage patterns, and no above ground appurtenances within wetland areas. In addition, the NDGFD recommended that the White Earth River, Des Lacs River, Deep Creek, Cut Bank Creek and Mauvais Coulee be crossed by directional boring. If directional boring is not possible, the NDGFD requested that construction not occur within the waterways between April 15 and June 1. NDPL intends to follow the NDGFD's recommendations. NDPL also consulted with the NDGFD regarding known bald and golden eagle nests in the two-mile wide study area.

- f. The USACE has stated in Project planning meetings that it intends to use its Nationwide Permit Number 12 as its permitting mechanism for the project.
 - g. In communications with NDPL, the USAF stated that the Project will cross its underground cable system, but the crossings meet the USAF's specifications.
16. The Commission has established criteria pursuant to North Dakota Century Code § 49-22-05.1 to guide the Commission in the corridor and route suitability evaluation and designation process. The criteria, as set forth in North Dakota Administrative Code § 69-06-08-02, are classified as Exclusion Areas, Avoidance Areas, Selection Criteria, and Policy Criteria.
 17. A transmission facility route must not be sited within an Exclusion Area. No Exclusion Areas are crossed by the Project.
 18. A transmission facility route must not be sited within an Avoidance Area, unless the applicant shows that under the circumstances there is no reasonable alternative. In determining whether an Avoidance Area shall be designated for a facility, the Commission may consider, among other things, the proposed management of adverse impacts; the orderly siting of facilities; system reliability and integrity; the efficient use of resources; and alternative routes. NDPL identified two municipal water supplies within the environmental survey corridor, one located near the City of Deering, and the second located south of the City of Grand Forks. NDPL adjusted the route to avoid the City of Deering wellhead protection area. The wellhead protection area near the City of Grand Forks is crossed twice by the proposed pipeline route. NDPL has engaged in multiple discussions with the City of Grand Forks, and the city representatives have not expressed any opposition to the Project route. Alternatives to avoid the wellhead protection area south of Grand Forks were considered; however, the alternatives would impact more agricultural land (including land designated as prime farmland) and waterbodies, cross more roadways, and require more construction within greenfield areas. Thus, no reasonable alternative was identified.
 19. NDPL identified one waterfowl protection area in Pierce County within the environmental survey corridor. However, the route will not cross and construction activities will not encroach into the waterfowl production area.
 20. NDPL identified 118 cultural resource sites within the environmental survey corridor. Two sites were recommended to be eligible for inclusion on the National Register of Historic Places ("NRHP"), and NDPL will avoid these sites. Thirty-five sites have not been evaluated, and NDPL will conduct additional surveys of any sites that cannot be avoided. NDPL has completed survey work for the majority of the route, and has submitted its findings to the SHPO for review. NDPL will complete the remaining field surveys in the spring/summer of 2014 and will submit the results to the SHPO.
 21. NDPL has identified 38 rural residences or businesses located within 500 feet of the proposed Project route. All of the owners of these facilities have granted waivers to

allow construction within 500 feet. With respect to the businesses, NDPL demonstrated at the hearings that there is no reasonable alternative to these locations, as other alternatives have equal or greater human, environmental and/or land use impacts. The businesses are primarily located in the vicinity of Stanley, North Dakota, and NDPL's existing Stanley Station. Due to the growth of the City of Stanley, businesses have encroached upon NDPL's Stanley Station and its existing pipelines, and three of the four businesses are already located within 500 feet of existing pipelines.

22. NDPL conducted wetland delineations within the environmental survey corridor identified for the majority of the route, and will complete any remaining field surveys in the spring/summer of 2014. NDPL has submitted a request for a jurisdictional determination to the USACE to determine which of the delineated wetlands and water bodies fall within the USACE's regulatory jurisdiction. NDPL anticipates that the USACE will authorize the Project under a Nationwide Permit 12.
23. NDPL completed field surveys for habitat for piping plover, Dakota skipper, Sprague's pipit, and nest locations for bald and golden eagles. The Project may result in short-term wildlife habitat removal, due to clearing as part of construction. Following construction, NDPL will restore the right-of-way as near to pre-construction condition as is practicable to mitigate any long-term impacts. The Project is not anticipated to have significant impacts on fish and wildlife resources, nor are significant impacts anticipated to endangered, threatened, or sensitive plant or animal species.
24. In accordance with the Commission's Selection Criteria, a transmission facility shall be approved only if it is determined that any significant adverse effects that will result from the location, construction and operation of the facility as they relate to the Selection Criteria will be at an acceptable minimum, or will be managed and maintained at an acceptable minimum. NDPL has analyzed the impacts of the Project in relation to all of the relevant Selection Criteria. No significant adverse impact will result from the location, construction and operation of the Project.
25. In accordance with the Commission's Policy Criteria, preference may be given to an applicant demonstrating certain benefits of the transmission facility. NDPL has analyzed the relevant Policy Criteria and has expressly committed to conducting its business in compliance with all applicable environmental laws and regulations; energy conservation through the facility's location, process and design; training and utilizing available labor in the state; constructing the Project to take advantage of economies of scale; achieving transmission capacity in the most minimally intrusive and most efficient way possible; and coordinating with state and local officials. NDPL submitted evidence to demonstrate its commitment to maximizing the benefits of the proposed transmission facilities so as to meet the Policy criteria.
26. It is appropriate to authorize a corridor of 1,000 feet in width, centered on the final route of the pipeline.

Measures to Minimize Impact

27. NDPL has agreed to a number of steps to mitigate the impact of the Project as indicated by the Certification Relating to Order Provisions-Transmission Facility Siting dated February 10, 2014, with accompanying Tree and Shrub Mitigation Specifications, which is attached to this Order.
28. The right-of-way will consist of a new 50-foot wide permanent easement in areas where the Project is parallel to third-party pipelines and utility corridors and in greenfield areas. Typically, an additional 70-foot wide temporary easement in uplands and a 45-foot wide temporary easement in wetlands, as well as material staging areas and temporary access roads, will also be utilized only during construction.
29. NDPL has identified 17 approximate valve site locations for the segment of the Project that will be located within the State of North Dakota, but the exact number and location of valve sites has not yet been finalized. NDPL utilized a computerized model to determine the approximate location of the valves, which accounts for high consequence areas on or near the center of the pipeline. Such high consequence areas are defined as high population areas, wellhead and drinking water areas, commercially navigable waterways, as well as ecologically sensitive areas. Valve locations were selected based on criteria which will minimize impact to these high consequence areas in the event of release. In addition, NDPL has complied with the valve location requirements specified by the Department of Transportation Office of Pipeline Safety pursuant to 49 Code of Federal Regulations, Part 195.
30. NDPL has developed an Environmental Protection Plan which outlines construction-related environmental policies, procedures and general mitigation measures for construction of the Project. The Environmental Protection Plan was developed based on NDPL's experience implementing best management practices during construction, as well as the Federal Energy Regulatory Commission's Upland Erosion Control, Revegetation and Maintenance Plan and Wetland and Waterbody Construction and Mitigation Procedures. The Environmental Protection Plan also includes spill prevention, containment and control measures to minimize the likelihood of a construction-related spill, and to ensure immediate cleanup in the event of such an occurrence. NDPL's Environmental Protection Plan and its Storm Water Pollution Prevention Plan are comprehensive, controlling documents that will be included in contract specifications.
31. The design, construction and operation of the transmission facility will be in accordance with the United States Department of Transportation regulations governing the transportation of crude oil, as prescribed under Parts 194 and 195 of Title 49 of the Code of Federal Regulations.
32. NDPL has designated Environmental Inspectors for the Project. The Environmental Inspectors will be responsible for assisting with preconstruction field tasks such as marking wetland and waterbody boundaries, implementing environmental requirements, conducting environmental training of construction staff, and offering advice and

consultation to NDPL's contractors. The Environmental Inspectors will document environmental compliance throughout the duration of the Project and will also be responsible for monitoring construction activities to ensure compliance with all applicable environmental laws, regulations, permits and NDPL's Project specific plans.

33. NDPL hired an Emergency Response Coordinator for NDPL's North Dakota region. The Emergency Response Coordinator is responsible for providing advice and support to regional personnel in implementation of NDPL's Liquids Pipelines Emergency Preparedness and Response Plan. In addition, the Emergency Response Coordinator assists and supports the development and maintenance of emergency response programs and provides training to and is a liaison with local emergency response agencies and personnel. NDPL has established a comprehensive training program for its employees focusing on safety. In addition, NDPL conducts a comprehensive public education program to ensure that the public and emergency responders are aware of pipeline safety and emergency response protocols.
34. NDPL has developed an Emergency Response Plan in consultation with the federal Department of Transportation Pipeline and Hazardous Materials Safety Administration (PHMSA). NDPL testified that its plan was the first and only industry plan to undergo an extensive review process which included the United States Environmental Protection Agency, the United States Coast Guard and Canada's National Energy Board. NDPL received a five-year approval of the plan from PHMSA on July 11, 2013. NDPL's Emergency Response Plan meets or exceeds all federal, state and local requirements under pipeline safety regulations specified in 49 CFR Parts 194 and 195, and any applicable national technical standards. NDPL has also initiated the Emergency Responder Education Program to educate local first responders along its rights-of-way on products transmitted and risks associated with pipelines.
35. The Project will be constructed incorporating a Supervisory Control and Data Acquisition System (SCADA), which is designed to identify and raise an alarm in response to any unexpected operational changes, such as pressure drops. To assist in the safe operation of the Project, NDPL will regularly conduct visual surveillance, line balance calculations, and computational pipeline monitoring, which analyzes measurements in pipeline data to detect anomalies. In addition, the pipeline will be coated with an anti-corrosion coating and a cathodic protection system will be installed which will subject the pipe to a low frequency electrical current that protects the steel against corrosion. NDPL has developed Tactical Response Plans that provide for response tactics and pre-stationing of emergency response equipment in critical areas.
36. North Dakota Century Code Chapter 49-23 established the One-Call Evacuation Notice System and sets forth requirements for excavators as well as operators of underground facilities for the avoidance of damage to underground facilities. NDPL is a member of and will participate in the North Dakota One-Call System.

Other Issues

37. During the public hearing held in Grand Forks, North Dakota, Mr. Scott Salmonson proposed a reroute of a segment of the Project. After the hearing, NDPL analyzed the proposed reroute, determined the request would have similar impacts, and agreed to implement the requested change (*see* NDPL's Late-Filed Exhibit No. 4). The Commission finds the route modification to be reasonable based on the evidence presented.
38. During the public hearing held in Grand Forks, North Dakota, Dr. Robert W. Seabloom and Dr. Phyllis Johnson testified on behalf of the University of North Dakota ("UND") regarding concerns about the Project's potential impacts on land located within UND's Oakville Prairie Field Station. NDPL testified at the hearing that it would consult with UND regarding the concerns raised. As set forth in a joint letter submitted by NDPL and UND, coordination is on-going and the parties have agreed that the Commission's permitting process should proceed acknowledging this continued coordination (*see* NDPL's Late-Filed Exhibit No. 2).

From the foregoing Findings of Fact, the Commission now makes its:

Conclusions of Law

1. The Commission has jurisdiction over NDPL and the subject matter of this application under North Dakota Century Code Chapter 49-22.
2. NDPL is a utility pursuant to North Dakota Century Code § 49-22-03(13) solely for purposes of this Project.
3. The proposed pipeline and associated facilities are collectively a transmission facility as defined in North Dakota Century Code § 49-22-03(12)(b).
4. The location, construction, and operation of the proposed Project will produce minimal adverse effects on the environment and upon the welfare of the citizens of North Dakota.
5. With respect to the location of the Project within 500 feet of certain businesses from whom waivers have been obtained, there are no reasonable alternatives to the proposed route.
6. With respect to the portion of the Project that crosses the wellhead protection area south of Grand Forks, there are no reasonable alternatives to the proposed route.
7. The location, construction, and operation of the proposed Project are compatible with environmental preservation and the efficient use of resources.

8. The Project will 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.
9. The Project is of such design and location that it will produce minimal adverse effects, pursuant to North Dakota Century Code § 49-22-07.2.
10. It is appropriate for the Commission to waive those certain procedures and time schedules as requested in the Application pursuant to North Dakota Century Code § 49-22-07.2.

From the foregoing Findings of Fact and Conclusions of Law, the Commission now issues its:

Order

The Commission orders:

1. NDPL's application for a waiver of procedures and time schedules is granted.
2. Certificate of Corridor Compatibility No. ___ is issued to NDPL designating a corridor for the construction, operation and maintenance of the proposed 300 mile, 24-inch crude oil pipeline and associated facilities, which includes the construction of facilities at the Beaver Lodge, Stanley, Berthold and Lakota Stations, located in Mountrail, Ward, McHenry, Pierce, Towner, Ramsey, Nelson, Grand Forks and Williams Counties, North Dakota. For purposes of the Certificate, the corridor will consist of a 1000 feet centered on the pipeline route for the length of the route.
3. Route Permit No. ___ is issued to NDPL granting authority to construct and operate a 300 mile, 24-inch crude oil pipeline and associated facilities on the selected route which includes the construction of facilities at the Beaver Lodge, Stanley, Berthold and Lakota Stations, located in Mountrail, Ward, McHenry, Pierce, Towner, Ramsey, Nelson, Grand Forks and Williams Counties, North Dakota. The designated route is shown on the set of maps provided in NDPL's Hearing Exhibit No. 1, with the exception that the approved reroute is depicted in NDPL's Late-Filed Exhibit No. 4.
4. NDPL must complete cultural resource surveys on any unsurveyed portions of the route requiring such survey work. Prior to beginning construction on a segment of the route, NDPL must submit documentation showing SHPO concurrence with the survey results for that segment.
5. The February 11, 2014, Certification Relating to Order Provisions-Transmission Facility Siting with accompanying Tree and Shrub Mitigation Specifications as executed by NDPL is incorporated by reference and attached to this Order.

PUBLIC SERVICE COMMISSION

Randy Christmann
Commissioner

Brian P. Kalk
Chairman

Julie Fedorchak
Commissioner