



Public Service Commission

State of North Dakota

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April 23, 2015

Darrell Nitschke
Executive Secretary
ND Public Service Commission
600 E Boulevard Ave. Dept 408
Bismarck, ND 58505-0480

Dear Mr. Nitschke:

For transparency purposes, I am notifying the Commission and all involved in Case No. PU-14-842 (Dakota Access Pipeline Project) of the fact that part of the pipeline proposed for construction is very near my mother-in-law's property. For approximately 1/2 mile the pipeline, as proposed, would follow the south edge of a property line where she owns the north side. While her land is not in the proposed corridor, it is in the study area and it is possible that alterations to this requested route could occur.

In addition to state laws concerning bribery, undue influence, public contracts, and other potential conflicts of interest, the Commission has a conflict of interest policy. The Public Service Commission policy manual addresses conflicts of interest in Policy Number 1-21. Subsection 4 states that "No Commissioner, commission employee, or agent shall participate in a Commission decision if a conflict of interest would be involved. A conflict would arise when: The commissioner, the employee or agent, any member of the commissioner's immediate family, the commissioner's partner . . . has a financial interest other than a de minimus interest or other interest directly or substantially affected by the Commission decision."

Earlier in the policy, "immediate family" is defined as ". . . an individual's spouse and persons who are claimed as dependents for income tax purposes."

This case would likely not meet the definition of being more than a de minimus interest to my mother-in-law. However, she is clearly not an "immediate family member" as defined in the policy. For that reason I see no conflict of interest in this case as proposed or if the route is moved to her property.

Sincerely,

Randy Christmann
Commissioner

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Letter Regarding Conflict of Interest