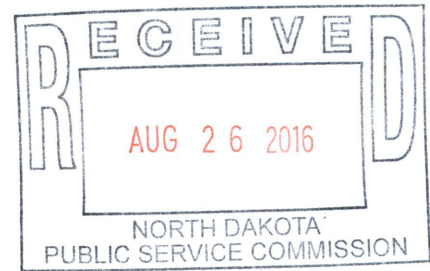


August 26, 2016

VIA E-MAIL AND FEDERAL EXPRESS

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



**RE: NST Express, LLC's Consolidated Application for a Certificate of Corridor Compatibility and Route Permit, and Waiver Application
Case No. PU-15-232**

Dear Mr. Nitschke:

On October 14, 2015, the North Dakota Public Service Commission ("Commission") issued Findings of Fact, Conclusions of Law, and Order ("Order") granting Certificate of Corridor Compatibility No. 173 and Route Permit No. 185 to NST Express, LLC ("NST Express") for the NST Express Pipeline Project ("Project"). Since issuance of the Order, NST Express has determined that a route adjustment within, and less than 1.5 miles in length outside of, the corridor designated for the Project ("Designated Corridor") is necessary to facilitate interconnection of a third-party pipeline at the Project's Dore Junction valve site.

NST Express has been exploring potential third-party pipeline interconnection opportunities throughout Project development, and included the Dore Junction valve site in the Project as a potential third-party pipeline interconnection point. NST Express now has the opportunity to interconnect its Project with the Dakota Access Pipeline at the Dore Junction valve site. In order to facilitate the interconnection, NST Express needs to install certain pumping equipment and other associated facilities.

Pursuant to North Dakota Century Code ("N.D.C.C.") § 49-22-07(1), "[a] utility may not begin construction of [a] . . . transmission facility in the state without first having obtained . . . a route permit from the commission pursuant to this chapter." In N.D.C.C. § 49-22-03(12), "transmission facility" is defined to include "[a] . . . liquid transmission line and *associated facilities* designed for or capable of transporting . . . liquid hydrocarbons, liquid hydrocarbon products . . ." (emphasis added). Therefore, to construct a crude oil pipeline and its associated facilities, a utility must have a route permit authorizing the construction of said facilities within a designated route. Route Permit No. 185, issued to NST Express, specifically designates a transmission facility route

Attorneys & Advisors
main 612.492.7000
fax 612.492.7077
fredlaw.com

Fredrikson & Byron, P.A.
200 South Sixth Street, Suite 4000
Minneapolis, Minnesota
55402-1425

69 **PU-15-232** Filed: 8/26/2016 Pages: 22
Certification and documentation for route adjustments under N.D.C.C. 49-22-16.3

Mr. Darrell Nitschke
August 26, 2016
Page 2

“for the construction, operation, and maintenance of approximately 23 miles of 12-inch diameter crude oil pipeline and associated facilities.” As such, expansion of the Project’s route to accommodate the interconnection facilities requires a route adjustment.

The route adjustment will be partially within the Designated Corridor and partially outside of the Designated Corridor, and the portion outside will be less than 1.5 miles in length. No known exclusion or avoidance areas, as defined in North Dakota Administrative Code §§ 69-06-08-02(1) and (2), will be affected by construction activities associated with the route adjustment. As such, NST Express must comply with the route adjustment notice filing requirements of N.D.C.C. §§ 49-22-16.3(1) and (3).

Therefore, in accordance with N.D.C.C. §§ 49-22-16.3(1) and (3), enclosed please find seven copies of the following documents and this letter:

- Certification Relating to North Dakota Century Code § 49-22-16.3, with accompanying:
 - Exhibit A: Dore Junction Plot Plan;
 - Exhibit B: Route Adjustment Map; and
 - Exhibit C: August 24, 2016 SWCA letter (with accompanying exhibits).

In accordance with Certification Provision No. 28 of the Order, NST Express provides information regarding the planned facility and site plan modifications in the enclosed documentation. The original Certification Relating to North Dakota Century Code § 49-22-16.3, with exhibits, will follow under separate cover.

Electronic copies of the above-referenced documents and this letter were filed with the Commission today via e-mail.

If you have any questions, please let me know.

Sincerely,



MOLLIE M. SMITH

MMS/ms/59391048
Enclosures

cc: Patrick Fahn (via e-mail, w/o encl.)
Emmy Baskerville (via e-mail, w/o encl.)
Chip Lang (via e-mail, w/o encl.)