



# Public Service Commission

## State of North Dakota

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July 8, 2015

Nichole Mathews  
Sr. Tax Accountant  
Eco-Energy Fueling Solutions  
6100 Tower Circle, Suite 500  
Franklin, TN 37067

RE: Request for Jurisdictional Determination

Dear Ms. Mathews,

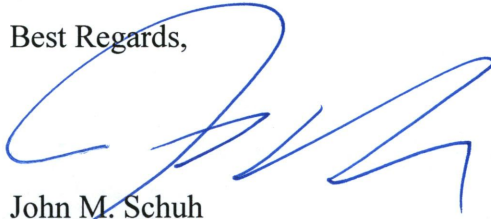
Thank you for your letter of 29 May 2015 requesting a jurisdictional determination regarding Eco-Energy's exploration of business opportunities marketing natural gas within the State of North Dakota.

On July 8, 2015, the Public Service Commission discussed your request at the administrative matters portion of its regular meeting, and asked me to respond to you. The Commission concluded that, based on the information that you provided, Eco-Energy would not be considered a public utility subject to the Public Service Commission jurisdiction.

More specifically, your request asked for a determination of whether Eco-Energy's activities would be considered those of a public utility. Eco-Energy advised that you will "act in the capacity of a marketer of natural gas, purchasing gas direct from producers or other marketers and taking title before selling to industrial end users, choice marketers, utilities, and power generators." Your 8 June 2015 letter further stated that you "do not anticipate owning any facilities for transporting and will not seek to build facilities or pipelines . . . [and] do not intend to sell to residential end users." Based upon the intended business operations in the natural gas market, Eco-Energy's activities will not be conducted in the manner of a public utility and therefore, are not subject to the jurisdiction of the commission.

The commission has noted that your letter recognizes the need to notify the commission if there are changes to your intended business activities that may fall within the jurisdiction of the North Dakota Public Service Commission. We thank you again for your request for jurisdictional determination. If there is further assistance you need, or questions you may have, please do not hesitate to contact us.

Best Regards,

A handwritten signature in blue ink, appearing to read 'J. Schuh', is written over the typed name.

John M. Schuh  
Special Assistant Attorney General