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November 10, 2015

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

RE: ONEOK Bakken Pipeline, L.L.C.  
Application for Amended Corridor Certificate No. 122 and  
Amended Route Permit Certificate No. 131  
Our File No. 72-487-003

Dear Mr. Nitschke:

Enclosed for filing please find the original and ten copies of ONEOK Bakken Pipeline, L.L.C.'s Application for Waiver or Reduction of Procedures and Time Schedules and for an Amended Corridor Certificate and Route Permit, one electronic copy of the same, and Check No. 91-48558 in the amount of \$40,000.00 to cover the application fee.

Please call should you have any questions.

Sincerely,

**CROWLEY FLECK PLLP**



Blaine T. Johnson

BEFORE THE PUBLIC SERVICE COMMISSION  
STATE OF NORTH DAKOTA

ONEOK Bakken Pipeline, L.L.C.  
Garden Creek to Riverview NGL Pipeline  
McKenzie County  
Amended Corridor Certificate and Route Permit

CASE NO. \_\_\_\_\_

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APPLICATION OF ONEOK ROCKIES MIDSTREAM, L.L.C. FOR A WAIVER OR REDUCTION OF  
PROCEDURES AND TIME SCHEDULES AND FOR AN AMENDED CORRIDOR CERTIFICATE  
AND ROUTE PERMIT

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ONEOK Bakken Pipeline, L.L.C., (“OBPL”) a wholly owned subsidiary of ONEOK Partners, L.P. whose address for purposes of this Application is ONEOK Plaza, 100 West 5<sup>th</sup> Street, Tulsa, Oklahoma 74103, pursuant to the Energy Conversion and Transmission Facility Siting Act, codified at North Dakota Century Code Chapter 49-22 (“Act”), hereby submits this Application for a Waiver or Reduction of Procedures and Time Schedules for Modification of the Designated Route and for Amended Corridor Certificate and Route Permit (“Application”).

On September 7, 2011, the North Dakota Public Service Commission (“Commission”) entered its Findings of Fact, Conclusions of Law and Order (the “Order”) in the captioned matter approving construction of a Garden Creek to Riverview NGL pipeline project (the “Pipeline”), and further issued Certificate of Corridor Compatibility Certificate No. 122 and Route Permit Certificate No. 131. On December 2, 2011, the First Amended Certificate of Corridor Compatibility No. 122 and First Amended Route Permit No. 131 were issued; due to the ONEOK’s name change, the First Amended Certificate of Corridor Compatibility No. 122 and First Amended Route Permit No. 131 were reissued to ONEOK Rockies Midstream, LLC (“ORM”) on December 9, 2011 (Case No. PU-11-658). On August 12, 2013, ORM and OBPL submitted a joint application to transfer the First Reissued First Amended Certificate of Corridor Compatibility No. 122 and First Reissued First Amended Route Permit No. 131 to OBPL. On December 4, 2013, the Second Reissued First Amended Certificate of Corridor Compatibility No. 122 and Second Reissued First Amended Route Permit No. 131 were issued under Case No. PU-13-738 executing this transfer.

Since issuance of the Order, OBPL has determined, in accordance with OBPL's 10-year plan, a need for additional transportation capacity of products and seeks to modify the Pipeline by adding a pump station facility which will provide 25,000 barrels per day additional capacity. A portion of this pump station facility will be located outside of the boundaries of the existing Certificate of Corridor Compatibility No. 122.

The Certification Relating to Order Provisions – Transmission Facility Siting, dated August 26, 2011, in PU-11-66, states as follows:

“...understands and agrees that it shall inform the Commission in writing of any plans to modify the transmission facility or of any plans to modify the site plan for the transmission facility. Bear Paw understands and agrees to obtain written approval from the Commission prior to any modifications to the site plan or the transmission facility. Approval may be granted after notice and opportunity for hearing.”

The Certification Relating to Order Provisions – Transmission Facility Siting was incorporated by reference and attached to the Order. By way of Application dated August 12, 2013, OBPL agreed to comply with the terms and conditions of all Commission orders pertaining to the Pipeline as issued to ORM.

OBPL requests that the Commission waive and/or reduce procedures and time schedules required by the Act or in the Commission's regulations set forth in Title 69-06 of the North Dakota Administrative Code to accomplish the purposes requested herein. These include, but are not limited to:

- (1) Waive, pursuant to North Dakota Century Code §§ 49-22-07.2, 49-22-13, and North Dakota Administrative Code § 69-06-01-02 and Chapter 69-06-06, those provisions of North Dakota Century Code § 49-22-08, 49-22-08.1, 49-22-13, and North Dakota Administrative Code § 69-06-01-02 which may require a public hearing on this application, and certain time schedules and procedures as set forth in said statutes and rules pertaining thereto;
- (2) Issue a notice of opportunity for hearing in the official newspaper of McKenzie County, if necessary;
- (3) Waive any provision of law or regulation which may require two publications and only publish said notice of opportunity for hearing once in the official news paper of McKenzie County;

- (4) Provide that in the notice of opportunity that any request for a hearing be made in not more than ten days pursuant to North Dakota Century Code § 49-22-13(4);
- (5) Approve the modification request which will result in modification of the designated route and adjustment to the designated corridor;
- (6) Find that the proposed modified facilities are of such design, length, location and purpose that they will produce minimal adverse affect; and
- (7) Designate and approve the requested modified facilities as identified in this Application and issue the appropriate amended corridor certificate and route permit.

The Commission's application guidelines for waiver of procedures and time schedules require the description of the facility, the need for the facility, the cost of the facility and separate justification for each provision of the Act for which OBPL is requesting a waiver, together with evidence that the project will produce minimal adverse effects or that a demonstrable emergency exists.

As demonstrated in the Application filed herewith, OBPL's request for waivers and/or reductions of procedures and time schedules and the issuance of an amended corridor certificate and route permit are justified as the proposed modified facilities are of such design, location and purpose that they will produce minimal adverse effects, and that the urgent need for OBPL to commence construction on the pump station project as soon as possible so as to increase the capacity of the Pipeline at the earliest possible date and thereby eliminate or minimize the flaring of gas in western North Dakota.

#### DESCRIPTION

This modification request seeks to add a pump station facility which will provide 25,000 barrels per day additional capacity to the Pipeline. The pump station will consist of three (3) 1500HP electrically driven pumps contained within a building. The fence line of the property will encompass approximately 1.8 acres while the leased property is less than 5 acres. The pump station will not alter the maximum allowable operating pressure (MAOP) of the Pipeline.

NEED

The purpose of the Pipeline is to transport natural gas liquids from the tailgate of the Garden Creek Plant in McKenzie County, North Dakota to Riverview Rail Terminal in Richland County, Montana. Within the region, NGL production from the Bakken has increased from 20 million barrels per day in 2011 to almost 90 million barrels per day today and is projected by the North Dakota Industrial Commission to continue to increase through 2025. To avoid unnecessary delay and to allow for timely transportation of this increased production, it is essential that this modification be approved at the earliest possible date.

COST

OBPL anticipates the cost of this pump station facility to be approximately \$8,000,000.00.

JUSTIFICATION

The environmental and cultural resource studies and reports which were filed herewith demonstrate that there will be minimal, if any, adverse effects as a result of the modification, and that pursuant to North Dakota Administrative Code § 69-06-05-02(2) the modification does not violate any of the exclusion and avoidance area of criteria.


OBPL respectfully requests that the Commission render an expeditions decision granting its requested waivers and/or reductions of procedures and time schedules, approve the requested deviations and issue an amended corridor certificate and amended route permit.

Dated this 9<sup>th</sup> day of November, 2015.

Respectfully submitted,

ONEOK Bakken Pipeline, LLC

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By:   
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