

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Cenex Pipeline, LLC
Cenex Prosper Terminal Project – Cass County
Siting Application

Case No. PU-15-798

AFFIDAVIT OF SERVICE BY CERTIFIED MAIL

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Geralyn R. Schmaltz deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **10th day of June, 2016**, she deposited in the United States Mail, at Bismarck, North Dakota, **one** envelope with certified postage, return receipt requested, fully prepaid, securely sealed and containing a photocopy of:

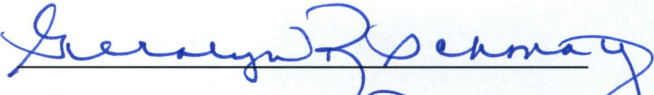

Order Adopting ALJ Recommendation To Grant Request To Withdraw Consolidated Application

The envelope was addressed as follows:

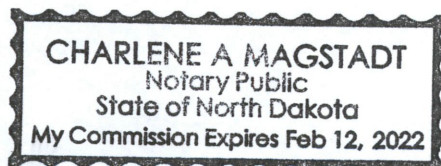
Brian R. Bjella
Crowley & Fleck
PO Box 2798
Bismarck ND 58502-2798
Cert. No. 7015 3010 0000 6559 5533

The address shown is the respective addressee's last reasonably ascertainable post office address.

Subscribed and sworn to before me
this **10th day of June, 2016**.



Notary Public

SEAL



STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Cenex Pipeline, LLC
Cenex Prosper Terminal Project – Cass County
Siting Application

Case No. PU-15-798

ORDER ADOPTING ALJ RECOMMENDATION TO GRANT REQUEST
TO WITHDRAW CONSOLIDATED APPLICATION

June 8, 2016

On May 11, 2016, the Hearing Officer in Case No. PU-15-798 filed an ALJ Recommendation to Grant Request to Withdraw Consolidated Application.

Order

The Commission orders the Hearing Officer's May 11, 2016 ALJ Recommendation to Grant Request to Withdraw Consolidated Application, a copy of which is attached to and made a part of this Order, is ADOPTED as the Commission's approval to grant Cenex Pipeline, LLC's request to withdraw its Consolidated Application in Case No. PU-15-798.

PUBLIC SERVICE COMMISSION


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Commissioner

Julie Fedorchak
Chairman

Brian P. Kalk
Commissioner

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Lance D. Schreiner, P.C.
Patrick J. Ward*++
Lawrence E. King, P.C.**^^
Constance N. Hoffland**
John E. Ward++
Justin M. Balzer



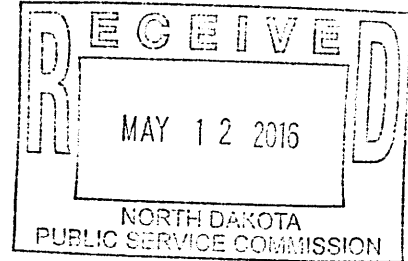
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May 11, 2016

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Illona Jeffcoat-Sacco
Public Service Commission
600 E. Boulevard Ave., Dept. 408
Bismarck, ND 58505-0480

RE: Cenex Pipeline, LLC
PU-15-798

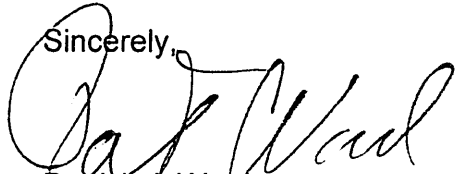
All Counsel, Mr. Nitschke, and Ms. Jeffcoat-Sacco:

Enclosed is my decision recommending that the Commission grant the Request to Withdraw Consolidated Application as submitted by Cenex on May 9, 2016. I will hold the OAH file open for 30 days or until I am advised whether there will be a new application filed regarding another location.

33 PU-15-798 Filed: 5/12/2016 Pages: 4
ALJ Recommendation to Grant Request to Withdraw
Consolidated Application

Page 2
May 11, 2016

Sincerely,



Patrick J. Ward

Enclosure

c: Louise Wetzel

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**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF NORTH DAKOTA**

In the Matter of the Application of Cenex) Case No. PU-15-798
Pipeline, LLC for a Certificate of Corridor)
Compatibility and Route Permit for the)
Cenex Prosper Terminal Project in Cass)
County, North Dakota)

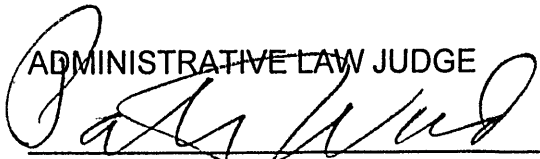
**ALJ RECOMMENDATION TO GRANT REQUEST TO WITHDRAW
CONSOLIDATED APPLICATION**

This administrative law judge was appointed as a substantive administrative law judge by the Public Service Commission to conduct a hearing and make a recommended decision including Findings of Fact, Conclusions of Law and Recommended Order in this case. The hearing was held in this matter as scheduled after due notice at NDSU in Fargo on March 29, 2016. Thereafter, the Raymond Township Board of Supervisors chose not to grant zoning approval for the location that was anticipated by Cenex Pipeline, LLC ("Cenex") at the time of the hearing.

Cenex has therefore decided not to pursue the location set forth in the application at this time and is considering other options. Pursuant to North Dakota Administrative Code § 69-02-02-07(2), Cenex has submitted a request to withdraw its consolidated application for a certificate of corridor compatibility and route permit and waiver as was requested in case no. PU-15-798.

For all of the above reasons, I hereby recommend that the Commission grant the withdrawal of the consolidated application as requested pursuant to § 69-02-02-07(2) in this matter.

Dated this 11th day of May, 2016.

ADMINISTRATIVE LAW JUDGE


Patrick J. Ward

c: Brian Bjella
Wade Mann
Zach Pelham
Darrell Nitschke
Ilona Jeffcoat-Sacco
Louise Wetzel

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