

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

**Bakken Oil Express, LLC  
Crude Oil Pipeline — Dunn and Stark Counties  
Siting Application**

**CASE NO. PU-13-825**

---

**CONSOLIDATED APPLICATION FOR SECOND AMENDED  
CERTIFICATE OF CORRIDOR COMPATIBILITY AND SECOND  
AMENDED ROUTE PERMIT**

---

On October 4, 2013, Bakken Oil Express, LLC (“BOE”) filed with the North Dakota Public Service Commission (“Commission”) a Consolidated Application for a Certificate of Corridor Compatibility and Route Permit (“Siting Application”) to authorize the construction of a 38-mile 16-inch diameter crude oil pipeline (the “Project”) in Dunn and Stark Counties, North Dakota. *See* PSC Docket No. 1. On December 30, 2013, the Commission entered its Findings of Fact, Conclusions of Law and Order (“Order”) issuing Certificate of Corridor Compatibility Number 150 and Route Permit Number 161 for the Project. *See* PSC Docket No. 36.

On January 21, 2014, BOE filed with the Commission a request to amend the Order to change the approved pipeline diameter from 16-inches to 20-inches for the southernmost approximately four (4) miles of the Project pipeline to facilitate an interconnect with True Oil, LLC’s Belle Fourche Pipeline. *See* PSC Docket No. 42. On January 29, 2014, the Commission issued a Notice of Opportunity for Hearing on BOE’s request to amend the Order and its application for a waiver of procedures and time schedules, with comments and requests for a hearing due by February 20, 2014. *See* PSC Docket No. 46. On February 26, 2014, the Commission entered its Findings of Fact, Conclusions of Law and Order (“Second Order”) granting the request for an amendment and issuing First Amended Certificate of Corridor

Compatibility Number 150 and First Amended Route Permit Number 161 for the Project. *See* PSC Docket No. 64.

Construction of the Project was completed in July of 2014. *See* PSC Docket No. 89. However, the North Dakota Department of Transportation (“DOT”) has contacted BOE and requested an approximately 275-foot shift in the location of the Project. The purpose of the shift is to avoid construction of a portion of the Dickinson Bypass being constructed by the DOT within Sections 23 and 26 of Township 140 North, Range 97 West along 116th Street SW, Dickinson, North Dakota. A map of the existing and requested Project route and corridor location is enclosed herewith.

In paragraph 30 of the Certification Relating to Order Provisions – Transmission Facility Siting attached and incorporated into the December 30, 2013 Order of the Commission, BOE certified that it agreed to “inform the Commission in writing of any plans to modify the transmission facility . . . [and] 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 requested modifications to the Certification of Corridor Compatibility and Route Permit requested herein are in essence a modification to the transmission facility, as a portion of the route must now be relocated due to the construction of the Dickinson Bypass. A portion of the corridor must also be modified.

Based on the above cited Certification provision, North Dakota Century Code Sections 49-22-03, 49-22-08, 49-22-08.1, and North Dakota Administrative Code Section 69-06-05-02(3), BOE files this request for a second amended Certificate of Corridor Compatibility and second amended Route Permit. This request is supported by the documents submitted herewith.

Dated this 26th day of February, 2016.

FREDRIKSON & BYRON, P.A.

A large, bold, handwritten signature in black ink, appearing to read 'LB', is written over the text 'FREDRIKSON & BYRON, P.A.' and the word 'By'.

By

LAWRENCE BENDER, ND Bar #03908  
DANIELLE M. KRAUSE, ND Bar #06874  
*Attorneys for Bakken Oil Express, LLC*  
1133 College Drive, Suite 1000  
Bismarck, ND 58501-1215  
(701) 221-8700

