

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

In the Matter of the Application of Cenex Pipeline, LLC for a Certificate of Corridor Compatibility and Route Permit for a 150-Mile Long, 10-Inch Pipeline in Williams, Mountrail and Ward Counties, North Dakota

Case No. \_\_\_\_\_

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**APPLICATION OF CENEX PIPELINE, LLC  
FOR A WAIVER OR REDUCTION OF PROCEDURES AND  
TIME SCHEDULES AND FOR A  
CORRIDOR CERTIFICATE AND ROUTE PERMIT**

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Applicant Cenex Pipeline, LLC (“Cenex”) whose address for purposes of this Application is 803 Highway 212 South, Laurel, MT 59044, 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 and For a Corridor Certificate and Route Permit (“Application”).

Cenex requests that the North Dakota Public Service Commission (“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 as requested herein. These include, but are not limited to: (1) waive pursuant to North Dakota Century Code §§ 49-22-07.2, 49-22-13(2), and North Dakota Administrative Code § 69-06-01-02 and Chapter 69-06-06, those provisions of North Dakota Century Code §§ 49-22-08(5), 49-22-08.1(5), 49-22-13, and North Dakota Administrative Code § 69-06-01-02 which require separate filings of such applications, separate notices of such applications, separate hearings on such applications, separate orders on such applications; and certain procedures and time schedules as set forth in said statutes and rules; (2) allow consolidation of the certificate of corridor

compatibility application and route permit application into a single consolidated application; (3) approve a corridor of 200 feet in width; (4) hold one combined public hearing on this Application; (5) find that the proposed facilities are of such design, length, location and purpose that they will produce minimal adverse effects; and (6) designate and approve the requested facilities as identified in this Application and issue the appropriate 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 the Applicant is requesting a waiver, together with evidence that the project will produce minimal adverse effects or that a demonstrable emergency exists. As demonstrated in this Application, and summarized below, Applicant's requests for waivers and/or reductions of procedures and time schedules and the issuance of a corridor certificate and route permit are justified as the proposed facilities are of such design, length, location and purpose that they will produce minimal adverse effects, and that the pipeline for which approval is sought is essential to create needed pipeline capacity for the transport of refined petroleum products to the agricultural industry and other customers in North Dakota and western Minnesota.

#### **DESCRIPTION**

The proposed Sidney-Minot pipeline ("Project") consists of construction of approximately 150 miles of new 10-inch diameter refined petroleum products pipeline entering the state in western Williams County, ND approximately fourteen miles southwest of Williston, and extending easterly through Williams, Mountrail and Ward Counties, terminating at the existing CHS terminal in Minot, North Dakota.

### **NEED**

The development of hydrocarbon production in the Bakken Formation of the Williston Basin has increased significantly in recent years. Current North Dakota Industrial Commission statistics show that as of November 2016, 10,863 active wells are producing in the Bakken Formation. Drastic expansion of industrial and commercial sectors, as well as a rapid increase in population, has triggered an increased demand for refined fuels in North Dakota and western Minnesota. This Project is proposed by Cenex in order to be able to continue to provide long term, reliable refined fuel supplies to meet this region's energy needs.

### **COST**

The estimated cost of constructing the Project in North Dakota is approximately \$115 million.

### **JUSTIFICATION**

The environmental and cultural resource studies and reports which have been commissioned by the Applicant for the Project demonstrate that there will be minimal adverse effects by construction. As a result, Applicant hereby submits that there is substantial justification set forth in the Need section above for the requested waivers and/or reduction of time schedules and procedures, as the Sidney-Minot Pipeline Project will produce minimal adverse effects.

Applicant respectfully requests the Commission to (1) grant the requested waivers and/or reduction of procedures and time schedules; and to (2) render an expeditious decision approving a corridor certificate and a route permit for the Project.

