

**STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION**

**Cenex Pipeline, LLC  
10” Refined Fuels Pipeline  
Williams, Mountrail, Ward Counties**

**Case No. PU-17-097**

**NOTICE OF INTENT TO COMMENCE CONSTRUCTION  
PRECONSTRUCTION CONFERENCE CALL MINUTES AND**

Pursuant to Certification Relating to Order Provision No. 10, Cenex Pipeline, LLC hereby provides the Commission with written notice of its intent to commence construction on June 3<sup>rd</sup>, 2019.

Pursuant to Certification Relating to Order Provision No. 7, a preconstruction conference call was held on May 22, 2019 and minutes of said meeting are provided below.

**Minutes: Preconstruction Conference Call**

**Date and Time:** May 22, 2019 commencing at 2:00 PM CT

**Attendees:**

- North Dakota Public Service Commission (“ND PSC”):
  - Patrick Fahn, Public Utilities Director, [pfahn@nd.gov](mailto:pfahn@nd.gov), 701.328.4077
  
- ND PSC Construction Inspectors, Wenck Associates, Inc. (“Wenck”):
  - Sara Simmers, [ssimmers@wenck.com](mailto:ssimmers@wenck.com), 701.425.2804
  - Matt Retka, [mretka@wenck.com](mailto:mretka@wenck.com), 651.587.6854
  
- On behalf of Cenex Pipeline, LLC (“Cenex”):
  - Robb Schwend, Cenex, Project Manager
  - Mike Stahly, Cenex, Manager Right-of-Way and Property
    - [Mike.Stahly@chsinc.com](mailto:Mike.Stahly@chsinc.com), 406.628.5209
    - Point of contact for landowner concerns and complaints for life of easement
  - Casey Furey, Crowley Fleck PLLP, Local Counsel
    - [cfurey@crowleyfleck.com](mailto:cfurey@crowleyfleck.com), 701.223.6585
  - Terry Fasteen, Kadrmas Lee & Jackson (“KLJ”), ROW Task Lead
    - [Terry.fasteen@kljeng.com](mailto:Terry.fasteen@kljeng.com), 218.790.4734
    - Point of contact for landowner concerns and complaints during construction
  - Travis Jones, KLJ, Project Manager
  - Jarrett Leas, KLJ, Survey Task Lead
  - Jeff Moss, KLJ, Chief Environmental Inspector
  - Eric Ler, KLJ, Construction Supervisor

- Grady Wolf, KLLJ, Environmental Project Manager
- Matt Oliver, Frontier Services, Field Superintendent
- Scott Lawson, Frontier Services, Construction Manager
- Corey Halter, Loenbro, Project Manager
- Travis Gillett, Loenbro, Field Superintendent
- Cody Fryberger, Loenbro, Division Manager

**Meeting Discussion:**

Party Introductions.

Mr. Fahn read verbatim Paragraphs 1-34 of the Project’s Certification Relating to Order Provisions for PU-17-097 (Docket No. 100). Additional discussion regarding specific provisions is identified below.

- Paragraph 3.
  - Mr. Fahn inquired as to status of permits remaining to be filed. Cenex commented a permit package is being prepared and will be filed with the Commission as soon as possible.
- Paragraph 9.
  - Group discussion regarding topsoil removal.
  - General construction activities are anticipated to commence June 3<sup>rd</sup>, 2019.
  - Wenck must be present for first topsoil removal for each project construction crew.
    - The Project has two construction crews that will be handling topsoil removal.
    - On June 5<sup>th</sup>, 2019, Loenbro will begin topsoil removal.
      - Prior to this date, Wenck will contact Travis Gillett to arrange on-site inspection.
    - On June 8<sup>th</sup>, 2019, Frontier Services will begin topsoil removal.
      - Prior to this date, Wenck will contact Matt Oliver to arrange on-site inspection.
- Paragraphs 27 & 28.
  - Discussion regarding designated Cenex contacts for landowners issues.
  - See above for Cenex representatives identified as landowner points of contact for Project construction and life of easement.
  - Cenex commented that all landowners have been sent correspondence containing information regarding right-of-way contacts for outstanding issues or concerns.

Mr. Fahn identified Certification Relating to Order Provisions Paragraphs Nos. 35-41 as governing project modifications.

Mr. Fahn reviewed the Project’s Tree and Shrub Mitigation Specifications attached to the Project’s Order (Docket No. 100). Tree and Shrub Mitigation Specifications Paragraphs Nos. 3-8 were addressed specifically.

Mr. Fahn reviewed Order Findings of Fact Nos. 18, 19, 26, 30, 31, 37, 38. With respect to Finding of Fact No. 39 regarding winter construction, Cenex anticipates all construction will occur within the spring, summer, and fall months.

With respect to the Project's Ordering Provisions, Mr. Fahn reviewed Ordering Provisions Nos. 5, 6, 7, 8, 9, 11, and 13. Additional discussion regarding specific provisions is identified below.

- Ordering Provisions Nos. 6-7.
  - Mr. Fahn inquired as to the status of cultural and natural resources surveys. Cenex commented that all surveys have been completed. Cenex is in the process of finalizing a route adjustment filing pursuant to N.D.C.C. ch. 49-22.1. Once submitted, the Commission will have copies of all Project surveys for the route.
- Ordering Provision No. 9.
  - Cenex confirmed PHMSA has been notified of the Project's construction.

Mr. Fahn stated that Cenex is required to file monthly progress reports detailing construction status with the Commission and explained their required scope and content. Sample examples will be provided to Cenex for review. The reports should generally contain summaries of major milestones and upcoming construction plans. Reports should be emailed to [ndpsc@nd.gov](mailto:ndpsc@nd.gov) and copied to Patrick Fahn, Sara Simmers, and Matt Retka. See above for respective contact information.

Mr. Fahn stated that Cenex should immediately notify the ND PSC of unusual occurrences during construction.

Cenex confirmed it will file minutes of the call prior to commencement of construction.

Call concluded at 2:50 PM CT.