

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

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

Case No. PU-17-097

CERTIFICATION RELATING TO ROUTE ADJUSTMENT N.D.C.C. § 49-22.1-15(1)

STATE OF MONTANA)
) ss.
COUNTY OF YELLOWSTONE)

Pursuant to N.D.C.C. § 49-22.1-15(1), the undersigned, Craig Harms, Vice President, a representative of Cenex Pipeline, LLC (“Cenex”), with the authority to bind Cenex to the following, hereby certifies as follows:

1. In Finding of Facts, Conclusions of Law and Order dated March 14, 2018 in the above-referenced matter, the North Dakota Public Service Commission (“Commission”) issued Certificate of Corridor Compatibility No. 202 and Route Permit No. 212 to Cenex for the construction and operation of an approximately 149.7 mile 10-inch diameter refined petroleum products pipeline and associated facilities located in Williams, Mountrail, and Ward Counties, North Dakota (the “Project”). *See*, Docket No. 100.

2. On September 26, 2018, the Commission approved Order on Amended Certificate of Corridor Compatibility and Route Permit issuing First Amended Certificate of Corridor Compatibility Number 202 and First Amended Route Permit 212 (March 14, 2018 and September 26, 2018 Orders collectively herein, the “Order”) for two route changes to the Project located in Williams County. *See*, Docket. No. 135.

3. North Dakota Century Code section 49-22.1-15(1) provides:

Before or during construction, a utility, without any action by the commission, may adjust the route of a gas or liquid transmission line within the designated corridor if, before conducting any construction activities associated with the adjustment, the utility files with the commission certification and supporting documentation that:

- a. The construction activities will be within the designated corridor;
- b. The construction activities will not affect any known exclusion or avoidance areas within the designated corridor; and
- c. The utility will comply with the commission's order, laws, and rules designating the corridor and designating the route.

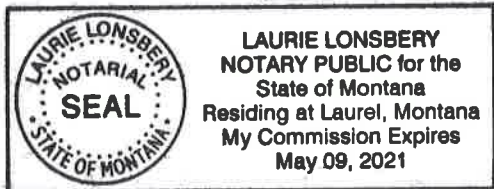
4. Pursuant to the statutory certification procedure set forth above, Cenex provides written notice of its intent to adjust the Project route in one location in Section 3, Township 155N, Range 55W, Williams County, North Dakota. That is within the existing Commission approved 200-foot-wide Project corridor. *See*, PU-17-097 Order, Docket No. 100, Order Provision No. 2; *see, also*, N.D.C.C. § 49-22.1-15(1)(a).
5. The proposed adjustment is along a portion of the route that was previously identified as being geologically unstable. Cenex originally proposed to construct this portion of the Project using the cut and cover trenching method. *See*, Docket No. 90. Cenex now proposes to shift the Project route 75 feet within the Project corridor and to horizontal directional drill (“HDD”) a segment of the route adjustment to address constructability constraints, and for additional avoidance of the geologically unstable area. As discussed in more detail in the Addendum to Late Filed Exhibit 25, HDD was previously identified as an acceptable construction method for this portion of the Project. *See*, Docket No. 90. Exhibit 1 hereto contains a Memorandum discussing the route adjustment and a map depicting its location.
6. Construction activities for the route adjustment occur within the previously surveyed and approved 200-foot-wide Project corridor. Cenex analyzed the potential impacts of the route adjustment pursuant to the Commission’s designated Avoidance and Exclusion Areas (N.D. Admin. Code § 69-06-08-02). Activities associated with the route adjustment will not affect any known Exclusion or Avoidance Area. *See*, N.D.C.C. § 49-22.1-15(1)(b).
7. Cenex will continue to comply with the Commission’s Order, laws, and rules designating the Project’s corridor and route. N.D.C.C. § 49-22.1-15(1)(c).



 Craig Harms
 Vice President
 Cenex Pipeline, LLC

STATE OF MONTANA)
) ss.
 COUNTY OF YELLOWSTONE)

On this 20th day June 2019, before me personally appeared Craig Harms, known to me to be the Vice President of the limited liability company that is described in and that executed the within instrument, and acknowledged to me that such limited liability company executed the same.





 Notary Public