

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF NORTH DAKOTA

IN THE MATTER OF THE JOINT
APPLICATION OF WHITING OIL AND
GAS CORPORATION AND QEP FIELD
SERVICES, LLC FOR A TRANSFER OF
CERTIFICATE OF SITE COMPATIBILITY
NO. 38

CASE NO. PU-17-_____

**JOINT APPLICATION FOR TRANSFER OF CERTIFICATE OF SITE
COMPATIBILITY**

Pursuant to Chapter 49-22 of the North Dakota Century Code, Article 69-06 of the North Dakota Administrative Code, and Section 69-02-02-04 of the North Dakota Administrative Code, Whiting Oil and Gas Corporation (“Whiting”) and QEP Field Services, LLC (“QEP”) (hereinafter collectively referred to as “Applicants”), respectfully submit this Application (“Application”) for the Transfer of Certificate of Site Compatibility No. 38 (“Certificate”) from Whiting to QEP. The Certificate was originally issued by the North Dakota Public Service Commission (“Commission”) to Whiting in Case No. PU-13-835 for the Robinson Lake Gas Plant located in Mountrail County, North Dakota. *See* Case No. PU-13-835, Docket No. 38.

I. Statutory Authority.

Transfer of a certificate of site compatibility is authorized under Section 49-22-07 of the North Dakota Century Code and Section 69-06-01-02(4) of the North Dakota Administrative Code. Pursuant to these provisions and North Dakota Century Code Section 49-22-13(2), the Commission is not required to hold a public hearing on an application for such transfer unless there is both a request by an interested person and a showing of good cause.

II. Background.

Pursuant to the Commission's Order dated May 28, 2014, in Case No. PU-13-835, the Commission approved the issuance of the Certificate to Whiting for the construction, operation, and maintenance of the Robinson Lake Gas Plant (the "Plant") located in Mountrail County, North Dakota. *See* Case No. PU-13-835, Docket No. 38. When originally constructed in 2007, the Plant had a processing capacity of less than 100 million standard cubic feet per day ("MMSCFD"), and did not require siting by the Commission. After being placed into service in 2007, the capacity of the Plant was modified to meet the increased regional demand for additional gas processing capacity. In October 2013, Whiting proposed further expanding the Plant from 97.5 MMSCFD to 110 MMSCFD to meet increased demand. In May 2014, the Commission approved the expansion and issued the Certificate.

III. Application for Transfer of Certificate of Site Compatibility.

Applicants now respectfully request the transfer of the Certificate from Whiting to QEP. In support thereof, Applicants state as follows:

1. Whiting is a Delaware corporation with its principal office in Denver, Colorado, and is authorized to do business in the State of North Dakota. In accordance with N.D. Admin. Code § 69-02-02-04(3)(c), Whiting's corporate documents were previously filed with the Commission in Case No. PU-11-118, a copy of which is provided herewith as Exhibit A.

2. QEP is a Delaware limited liability company with its principal office in San Antonio, Texas, and is authorized to conduct business in the State of North Dakota. In accordance with N.D. Admin. Code § 69-02-02-04(3)(c), the corporate documents of QEP are enclosed herewith. A copy of the Certificate of Formation from the State of Delaware is attached hereto as Exhibit B. A Certificate of Good Standing from the Secretary of State for the

State of North Dakota is attached hereto as Exhibit C. A Certificate of Good Standing from the Secretary of State for the State of Delaware is attached hereto as Exhibit D.

3. On May 28, 2014, the Certificate was issued to Whiting in connection with the Robinson Lake Gas Plant located in Mountrail County, North Dakota in Case No. PU-13-835.

4. On January 1, 2017, Whiting and QEP entered into an agreement for the purchase of certain gas processing and gathering facilities located in Mountrail County, North Dakota, including the Robinson Lake Gas Plant.

5. QEP agrees to assume the rights and obligations of the Certificate for the Robinson Lake Gas Plant, as well as the conditions and limitations set forth in the Commission's Findings of Fact, Conclusions of Law and Order, dated May 28, 2014, issuing the Certificate. *See* Affidavit of James Sanford, provided herewith.

6. Pursuant to the Application, Applicants seek the transfer of the Certificate to QEP.

WHEREFORE, Applicants respectfully request that the Commission, following publication of a notice of opportunity for a public hearing in the official newspaper in Mountrail County and, unless there is both a request by an interested person and a showing of good cause:

1. Grant, without a public hearing, a transfer of Certificate of Site Compatibility Number 38 to QEP Field Services, LLC; and
2. Grant such other relief as the Commission shall deem appropriate.

Dated this 29th day of March, 2017.

FREDRIKSON & BYRON, P.A.

By



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Dated this 29th day of March, 2017.

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