

**STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION**

**Public Service Commission  
Caliber North Dakota LLC  
Pipeline Safety Enforcement**

**Case No. GS-17-171**

**ORDER**

**August 16, 2017**

**Preliminary Statement**

On November 14-18, 2016, Public Service Commission Gas Pipeline Safety Inspector, Aaron Morman, conducted an audit of the gas pipeline safety records for the jurisdictional natural gas gathering and transmission system operated by Caliber North Dakota LLC (Caliber).

On April 27, 2017, the Manager of the Public Service Commission Gas Pipeline Safety Program (Pipeline Safety Manager) issued a Notice of Probable Violation(s) (NOPV) alleging two probable violations:

1. Caliber did not provide cathodic protection for their Hay Butte Residue to Northern Border Line within one year of completion of construction as required by 49 CFR § 192.455(a)(2).
2. Caliber did not provide cathodic protection for their Ponderosa Class 3 Segment gas pipeline within one year of completion of construction as required by 49 CFR § 192.455.

The proposed action for Probable Violation No. 1 contained a proposed penalty of \$8,600 and a requirement that the Company provide documentation of a Close Interval Survey of the Hay Butte Residue to Northern Border Line verifying no corrosion or anomalies that affect the integrity of the pipeline.

On May 31, 2017, Caliber submitted a check in the amount of \$8,600.00 in response to Probable Violation No. 1, and contested Probable Violation No. 2. On July 21, 2017, Caliber submitted documentation of the results of a close interval survey satisfying the compliance action outlined for Probable Violation No. 1. Along with this documentation, Caliber provided a response to the contested Probable Violation No. 2. The company requested that Probable Violation No. 2 be withdrawn due to a reclassification of line and provided documentation. Upon review of the provided response, the Pipeline Safety Manager has withdrawn Probable Violation No. 2.

Pursuant to 49 CFR § 190.208(a), upon Caliber paying the proposed penalty and advising the Commission of the payment, Caliber has admitted to the Probable Violation No. 1 and authorized the Commission to make a finding of violation and issue an order.

### Order

The Commission Orders:

1. Caliber violated 49 CFR § 192.455(a)(2) by failing to provide catholic protection for their Hay Butte Residue to Northern Border Line within one year of completion of construction.
2. The Commission accepts Caliber's May 31, 2017 payment of \$8,600 in full satisfaction of the civil penalty and the close interval survey in satisfaction of the compliance action proposed in the NOPV, and the Commission shall close this case.

### PUBLIC SERVICE COMMISSION

  
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Commissioner

  
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Chairman

  
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