

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Public Service Commission
Caliber North Dakota LLC
Pipeline Safety Enforcement

Case No. GS-17-171

AFFIDAVIT OF SERVICE BY CERTIFIED MAIL

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Geralyn R. Schmaltz deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **17th day of August, 2017**, she deposited in the United States Mail, at Bismarck, North Dakota, **one** envelope with certified postage, return receipt requested, fully prepaid, securely sealed and containing photocopy of:

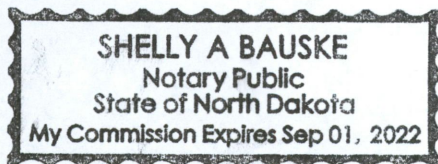
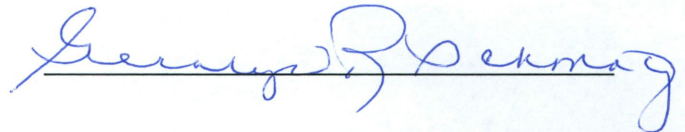
- **Order**

The envelope was addressed as follows:

David Scobel
CEO Caliber North Dakota LLC
1200 17th Street Suite 2100
Denver, CO 80202
Cert. No. 7015 0640 0006 6993 6379

The addresses shown are the respective addressee's last reasonably ascertainable mailing address.

Subscribed and sworn to before me
this **17th day of August, 2017**.



Notary Public

SEAL

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

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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

 _____ Brian Kroshus Commissioner	 _____ Randy Christmann Chairman	 _____ Julie Fedorchak Commissioner
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