

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Public Service Commission  
Northern States Power Company  
Pipeline Safety Enforcement

Case No. GS-17-292

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 **23rd day of October, 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:

Cheryl Campbell  
Sr. Vice President, Gas  
Xcel Energy  
1800 Larimer Street, Suite 1400  
Denver, CO 80202  
**Cert. No. 7017 1070 0000 1507 6972**

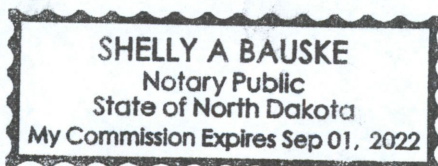
The address shown is the respective addressee's last reasonably ascertainable mailing address.

Subscribed and sworn to before me  
this **23rd day of October, 2017**.



  
Notary Public

SEAL



6 **GS-17-292** Filed: 10/23/2017 Pages: 3  
Affidavit of Service, Cert. Mail - Order

**STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION**

**Public Service Commission  
Northern States Power Co of Minnesota  
Pipeline Safety Enforcement**

**Case No. GS-17-292**

**ORDER**

**October 18, 2017**

**Preliminary Statement**

On May 10-11, 2017, Public Service Commission Gas Pipeline Safety Inspector, Aaron Morman (Staff), conducted an inspection of Northern States Power Co of Minnesota (NSP) gas pipeline construction activities.

On July 20, 2017, the Manager of the Public Service Commission Gas Pipeline Safety Program issued a Notice of Probable Violation (NOPV).

On August 30, 2017, NSP submitted a letter in response to the NOPV.

**Discussion**

During the May 10-11, 2017 inspection, Staff observed an individual, Larry Clemen, from contractor company Q3 Contracting, Inc., performing the covered task of backfilling. Staff requested documentation from NSP to show current qualifications for this task. Documentation provided by NSP indicated that this individual's qualifications had expired and he was no longer qualified to perform this covered task.

The NOPV alleges that NSP did not ensure through evaluation that individuals performing covered tasks are qualified as required by 49 CFR § 192.455(b).

The NOPV proposes a civil penalty of \$1,000.00.

NSP stated in its August 30, 2017 response that they will not contest the allegation of probable violation, and that a check for \$1,000.00 will be sent in a separate letter.

Pursuant to 49 CFR § 190.208(a), upon NSP paying the proposed penalty and advising the Commission of the payment, NSP has admitted to the Probable Violation and authorized the Commission to make a finding of violation and issue an order.

**Order**

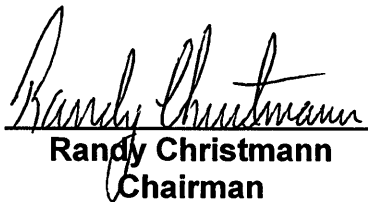
The Commission Orders:

1. NSP violated 49 CFR § 192.805(b) by failing to ensure Larry Clemen was qualified to perform the task of backfilling.
2. The Commission accepts NSP's October 12, 2017 payment of \$1,000 in full satisfaction of the civil penalty, and the Commission shall close this case.

**PUBLIC SERVICE COMMISSION**



**Brian Kroshus  
Commissioner**



**Randy Christmann  
Chairman**



**Julie Fedorchak  
Commissioner**