

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Public Service Commission
Xcel Energy Services Inc.
Pipeline Safety Enforcement

Case No. GS-18-35

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 **12th day of April, 2018**, 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:

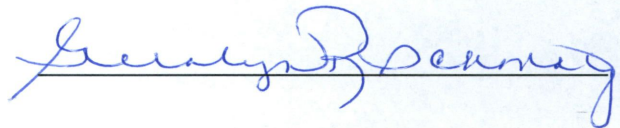
- **Order**

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 2400 0001 0889 9482

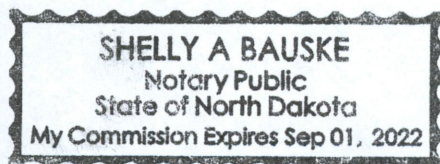
The address shown is the respective addressee's last reasonably ascertainable mailing address.

Subscribed and sworn to before me
this **12th day of April, 2018**.



Notary Public

SEAL



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Affidavit of Service, Cert. Mail - Order

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**Public Service Commission
Xcel Energy Services Inc.
Pipeline Safety Enforcement**

Case No. GS-18-35

ORDER

April 11, 2018

Preliminary Statement

On October 23-27, 2017, Public Service Commission Gas Pipeline Safety Inspector, Aaron Morman (Staff), conducted an audit of Xcel Energy Services Inc. (Xcel) Control Room Management (CRM) Plan and records.

On February 6, 2018, the Manager of the Public Service Commission Gas Pipeline Safety Program issued a Notice of Probable Violation (NOPV).

On March 5, 2018, Xcel submitted a letter in response to the NOPV.

On March 12, 2018, Xcel submitted payment of \$8000.00.

On April 3, 2018, Xcel submitted payment of \$1000.00.

Discussion

During the October 23-27, 2017 audit, Staff identified five probable violations of Pipeline Safety Regulations.

Probable Violation No. 1 alleges that Xcel did not perform the required CRM plan review once each calendar year, but at intervals not to exceed 15 months, as required by Title 49 Code of Federal Regulations Part 192 sections 192.631(a)(2) and 192.605(a).

Probable Violation No. 1 has a proposed civil penalty of \$1,000.00.

Probable Violation No. 2 alleges that Xcel did not perform the required alarm management plan review once each calendar year, but at intervals not exceeding 15 months, as required by Title 49 Code of Federal Regulations Part 192 section 192.631(e)(4).

Probable Violation No. 2 has a proposed civil penalty of \$1,000.00.

Probable Violation No. 3 alleges that Xcel did not perform the required analysis of controller workload at least once each calendar year, but at intervals not to exceed 15 months, as required by Title 49 Code of Federal Regulations Part 192 section 192.631(e)(5).

Probable Violation No. 3 has a proposed civil penalty of \$1,000.00.

Probable Violation No. 4 alleges that Xcel did not perform a review of the controller training program at least once each calendar year, but at intervals not to exceed 15 months, as required by Title 49 Code of Federal Regulations Part 192 section 192.631(h).

Probable Violation No. 4 has a proposed civil penalty of \$1,000.00.

Probable Violation No. 5 alleges that Xcel did not provide fatigue mitigation training for all CRM controllers annually as required by Xcel's CRM plan in effect at the time of the October 23-27, 2017 audit, and Title 49 Code of Federal Regulations Part 192 sections 192.631(d)(2) and 192.631(d)(3).

Probable Violation No. 5 has a proposed civil penalty of \$5,000.00.

In its March 5, 2018 response, Xcel does not contest the allegations of probable violations.

Xcel did not submit a written explanation, information, or other materials it believes may warrant mitigation or elimination of the proposed civil penalty.

Under Title 49 Code of Federal Regulations Part 190 section 190.208(a), upon Xcel paying the proposed penalties and advising the Commission of the payment, Xcel has admitted to the Probable Violations and authorized the Commission to make a finding of violations and issue an order.

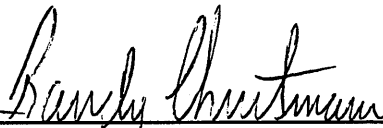
Order

The Commission orders:

1. Xcel violated Title 49 Code of Federal Regulations Part 192 sections 192.631(a)(2) and 192.605(a) by failing to perform the required CRM plan review within the specified interval.
2. Xcel violated Title 49 Code of Federal Regulations Part 192 section 192.631(e)(5) by failing to perform an analysis of the controller workload within the required interval.

3. Xcel violated Title 49 Code of Federal Regulations Part 192 section 192.631(e)(5) by failing to perform an analysis of the controller workload within the required interval.
4. Xcel violated Title 49 Code of Federal Regulations Part 192 section 192.631(h) by failing to perform a review of the controller training program with the required interval.
5. Xcel violated its CRM plan and Title 49 Code of Federal Regulations Part 192 sections 192.631(d)(2) and §192.631(d)(3) by not providing controller fatigue mitigation training for all CRM controllers annually.
6. The Commission accepts Xcel's payment of \$9,000 in full satisfaction of the civil penalties, and the Commission shall close this case.

PUBLIC SERVICE COMMISSION

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