

March 26, 2018

Via Electronic Mail & Hand Delivery

Mr. John Schuh
Special Assistant Attorney General
North Dakota Public Service Commission
600 E. Boulevard, Dept. 408
Bismarck, ND 58505-0480
jschuh@nd.gov

In re: ONEOK Rockies Midstream, L.L.C.
PU-10-666 - Stateline I & II Gas Plants
PU-18-094 – Certification Relating to N.D.C.C. Section 49-22.1-01(3)(a)
Our File No. 072487-000002

Dear Mr. Schuh:

On March 14, 2018, ONEOK Rockies Midstream, L.L.C. (“ONEOK”) filed a certification pursuant to N.D.C.C. § 49-22.1-01(3)(a) (Docketed as PU-18-094) to construct an improvement consisting of in-facility piping to the Stateline I & II Gas Plants sited in Case No. PU-10-666. Paragraph 29 of the Certification Relating to Order Provisions attached to the Order issued in PU-10-666 provides as follows:

[Company] understands and agrees that it shall inform the Commission in writing of any modifications to the energy conversion facility, or of any plans to modify the site plan for the energy conversion facility. [Company] understands and agrees to obtain written approval from the Commission prior to any additions or modifications to the site plan for the energy conversion facility, associated facility, and roadway locations. Approval may be granted after notice and opportunity for hearing.

(PU-10-666, Docket No. 26). This provision is inconsistent with, and superseded by, the process set forth in N.D.C.C. § 49-22.1-01(3). Section 49-22.1-01(3) does not require notice and opportunity for hearing to construct the type of improvements ONEOK has proposed. Therefore, in accordance with current law, ONEOK respectfully requests that the Commission allow ONEOK to begin construction on the improvement as more particularly described in its Certification filing, Docket No. 1, in Case No. PU-18-094.

2 **PU-18-94** Filed: 3/26/2018 Pages: 2
Letter requesting authorization to proceed with construction

ONEOK Rockies Midstream, L.L.C.
Wade Mann, Crowley Fleck

130 **PU-10-666** Filed: 3/26/2018 Pages: 2
Letter requesting authorization to proceed with construction

ONEOK Rockies Midstream, L.L.C.
Wade Mann, Crowley Fleck

YENNE I

In the event the Commission should deem notice and opportunity for hearing required, ONEOK requests authorization to proceed with construction of the improvement prior to the running of the notice period. ONEOK's request is consistent with the Commission's prior actions in PU-15-113. *See* PU-15-113, Docket Nos. 4 & 5 (requiring notice and opportunity for hearing but allowing Commission staff to approve site changes prior to waiting for the notice period to run). If the Commission should deem notice and opportunity for hearing required, ONEOK would further request that the Commission simultaneously issue a notice and opportunity for hearing to strike paragraph 29 from the Certification relating to Order Provisions in PU-10-666 for the reasons provided above.

For consistency in docketing, ONEOK respectfully requests that this letter be docketed in both PU-18-094 and PU-10-666.

Please feel free to contact the undersigned should you have any questions. Thank you.

Sincerely,



Wade C. Mann

WCM/lh
enc.

cc: Michael Dailey (via email)