


MEMORANDUM

To: Commissioners Kroshus, Fedorchak, and Christmann
From: Patrick Fahn, Director – Public Utilities Division 
Date: July 2, 2020
Subject: Siting Compliance Enforcement in Case No. PU-18-405, Belle Fourche Pipeline Company, 6-inch Skunk Hill DPR Pipeline Conversion

On December 17, 2018, in Case No. PU-18-404, Belle Fourche Pipeline Company filed with the Commission a combined application for a corridor certificate and a route permit for the conversion of an existing 8-inch Wilson Bowline Pipeline from a gathering function to a transmission function. At the June 11, 2019 hearing, the Commission was informed that Wilson Bowline Pipeline was already being used as a transmission line. At its September 4, 2019 meeting, the Commission issued to Belle Fourche a corridor certificate and route permit, and the Commission directed staff to investigate the probable non-compliance of ND law by Belle Fourche for operating the line as a transmission line prior to obtaining a certificate or permit. On June 10, 2020, the Commission issued an Order approving a Consent Agreement of Belle Fourche, Bridger Pipeline LLC, and Commission Staff assessing a civil penalty of \$10,000 to Belle Fourche and assessing a civil penalty of \$20,000 to Bridger.

On December 17, 2018, in Case No. PU-18-405, Belle Fourche Pipeline Company filed with the Commission a combined application for a corridor certificate and a route permit for the conversion of an existing 18-mile-long, 6-inch Skunk Hill to Dakota Prairie Refinery (DPR) pipeline from a gathering function to a transmission function (Application). At the June 10, 2019 hearing, the Commission was informed that Skunk Hill to DPR pipeline was already being used as a transmission line.

Concurrent with its investigation in Case No. PU-18-404, Staff began an investigation of the probable non-compliance of ND law by Belle Fourche for operating the Skunk Hill to DPR pipeline as a transmission line prior to obtaining a certificate or permit.

On February 24, 2020, Belle Fourche filed an amendment to its Application withdrawing from the Application the pipeline segment from the Skunk Hill Station to the Dickinson Station. (Amended Application).

On April 8, 2020, Belle Fourche filed to withdraw the Amended Application and on April 29, 2020, the Commission approved the withdrawal of the Amended Application.

Unless I hear otherwise from a Commissioner, Staff will discontinue its investigation of the probable non-compliance of ND law by Belle Fourche for operating the Skunk Hill to DPR pipeline as a transmission line prior to obtaining a certificate or permit.