



Public Service Commission

State of North Dakota

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July 29, 2020

Casey A. Furey
Crowley Fleck PLLP
100 West Broadway, Suite 250
Bismarck, ND 58502-2798

RE: **WARNING LETTER**
Case No. PU-19-368, docket #112
ONEOK Bakken Pipeline, L.L.C.
16-Inch NGL Pipeline – Williams County

We received a Construction Inspection Report from WENCK Associates, Inc. on June 24, 2020, filed as docket item #112 in this case. The report raises concerns for two reasons. The first is the striking of an unknown underground facility during construction. Per Certificate to Order Provisions paragraph 34, the Company shall notify the Commission as soon as reasonably possible if any damage to underground facilities occurs. While the report does not specify the date, it would seem that this occurred at least a month ago and to date the Commission has not been notified. The second area of concern is the multiple instances of topsoil segregation issues. While I understand that ONEOK used contractors to construct this pipeline, it is ultimately ONEOK's responsibility to ensure topsoil is properly segregated and protected.

If ONEOK has future occurrences of similar incidents, the Commission may take more formal enforcement actions.

Best regards,

Victor Schock
Public Utility Analyst

113 **PU-19-368** Filed: 7/29/2020 Pages: 1
**Warning Letter re 24 July 2020 Construction
Inspection Report**

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Victor Shock