

MEMORANDUM

To: Commissioners Fedorchak, Christmann and Kroshus
From: Patrick Fahh, Director – Public Utilities Division
Date: February 10, 2021
Subject: Siting Compliance Enforcement in Case No. PU-19-368, ONEOK Bakken Pipeline, L.L.C., 16-Inch NGL Pipeline

The Commission’s April 1, 2020 Findings of Fact, Conclusions of Law and Order designated a corridor and a route for the construction, operation and maintenance of approximately 75 miles of 16-inch diameter natural gas liquids pipeline and associated facilities in Williams County, North Dakota, Case No. PU-19-368.

On November 17, 2020, ONEOK filed with the Commission maps and GIS data for the pipeline location as built.

On January 22, 2021, ONEOK filed with the Commission a Certification Relating to Route Adjustments identifying two locations where the constructed route was within the designated corridor but deviated from the designated route by more than 20 feet. ONEOK’s Certification did not include locations where constructed pipeline segments deviated from the designated route by twenty (20) feet or less. ONEOK certified that (1) the construction activities related to the two route changes occurred within the designated corridor, (2) the construction activities related to the two route changes did not affect any known avoidance or exclusion areas, and (3) ONEOK will comply with the Commission’s Order, laws, and rules designating the corridor and designating the route.

On January 25, 2021, Commission staff issued a Notice of Noncompliance stating a probable non-compliance of ND law by ONEOK for failing to file, with the Commission, certifications and supporting documentation required under NDCC 49-22.1-15 before conducting construction activities associated with the route adjustments.

Unless I hear otherwise from a Commissioner, Staff will discontinue its investigation of the probable non-compliance of ND law by ONEOK for failing to file, with the Commission, certifications and supporting documentation required under NDCC 49-22.1-15 before conducting construction activities associated with the route adjustments.