

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Dakota Prairie Refining, LLC / BOE South, LLC
Transfer – Certificate #151 & Permit #162 & #163
Siting Application

Case No. PU-20-165

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 **11th day of June 2020**, 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 a photocopy of:

- **Order**

And Original Of:

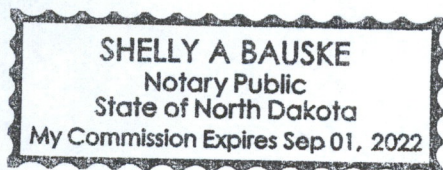
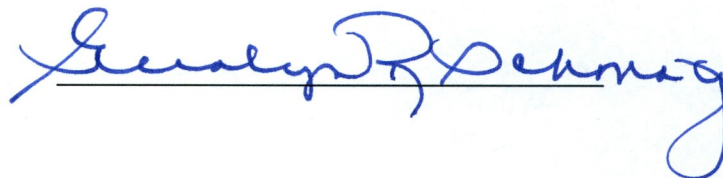
- **First Reissued Certificate of Corridor Compatibility Number 151**
- **First Reissued Route Permit Number 162**
- **First Reissued Route Permit Number 163**

The envelope was addressed as follows:

Lawrence Bender
Fredrikson & Byron, P. A.
1133 College Drive Suite 1000
Bismarck, ND 58501-1215
Cert. No. 7019 2280 0001 7941 2630

Each address shown is the respective addressee's last reasonably ascertainable post office address.

Subscribed and sworn to before me
this **11th day of June 2020**.



SEAL



Notary Public

16 PU-20-165 Filed: 6/11/2020 Pages: 6
Affidavit of Service, Cert. Mail - Order

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**Dakota Prairie Refining, LLC / BOE South, LLC
Transfer - Certificate #151 & Permit #162 and #163
Siting Application**

Case No. PU-20-165

ORDER

June 10, 2020

On December 30, 2013, the Commission issued to Dakota Prairie Refining, LLC (Dakota Prairie) and Lario Shipping, LLC, Certificate of Corridor Compatibility No. 151 designating a corridor for the construction, operation, and maintenance of a 6-inch and an 8-inch pipeline between the Dakota Prairie Refinery and the Lario Shipping, LLC rail hub, in Stark County, North Dakota, for the transmission of refined petroleum products, Case No. PU-13-799. The Commission issued Route Permit No. 162 designating a route for the 6-inch pipeline and issued Route Permit No. 163 designating a route for the 8-inch pipeline.

On March 31, 2020, Dakota Prairie and BOE South, LLC (formerly known as Lario Shipping, LLC) filed with the Commission a joint application to transfer Certificate 151, Permit 162 and Permit 163 to Dakota Prairie.

On April 15, 2020, the Commission issued a Notice of Opportunity for Hearing providing until May 15, 2020, for comments and requests for hearing. No comments or requests for hearing were received.

The Notice identified the following issues to be considered:

1. Whether Dakota Prairie agrees and is able to comply with the terms and conditions of Certificate 151, Permit 162 and Permit 163 issued on December 30, 2013; and
2. Whether the requested transfer is compatible with the public interest.

Discussion

Dakota Prairie Refining, LLC is a Delaware limited liability company authorized to do business in the State of North Dakota, as evidenced by the corporate papers filed with the Commission on March 31, 2020, in Case No. PU-20-167. BOE South, LLC is a Kansas limited liability company authorized to do business in the State of North Dakota, as evidenced by the corporate papers filed with the Commission on March 31, 2020, in Case No. PU-20-166.

The affidavit of Richard Hastings, General Refining Manager of Dakota Prairie Refining, LLC, indicates that Dakota Prairie Refining, LLC agrees to assume the rights and obligations of Lario with respect to the Certificate and Route Permits, including the conditions, limitations, rights and obligations set forth in the Order and any other conditions or modifications set forth in subsequent orders of the Commission with respect to the Certificate and Route Permits.

Having considered this matter, the Commission finds that Dakota Prairie agrees and is able to comply with the terms and conditions of Certificate 151, Permit 162 and Permit 163 and the requested transfer is compatible with the public interest. Therefore, the Commission issues its:

Order

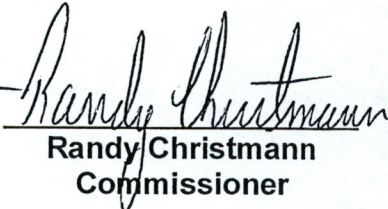
The Commission Orders:

1. The application for transfer of Certificate of Corridor Compatibility No. 151, Route Permit No. 162 and Route Permit No. 163 is granted.
2. First Reissued Certificate of Corridor Compatibility No. 151, First Reissued Route Permit No. 162 and First Reissued Route Permit No. 163 are issued to Dakota Prairie Refining, LLC.

PUBLIC SERVICE COMMISSION


Julie Fedorchak
Commissioner


Brian Kroshus
Chairman


Randy Christmann
Commissioner

**PUBLIC SERVICE COMMISSION
STATE OF NORTH DAKOTA**

**First Reissued
Certificate of Corridor Compatibility Number 151**

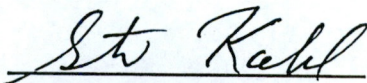
This is to certify that the Commission has designated a transmission facility corridor for Dakota Prairie Refining, LLC for the construction, operation and maintenance of a 6-inch and an 8-inch pipeline between the Dakota Prairie Refinery and the Dickinson Rail Terminal in Stark County, North Dakota for the transmission of refined petroleum products.

This transmission facility corridor is designated in accordance with the Commission's December 30, 2013 Order in Case No. PU-13-799 and the Commission's June 10, 2020 Order in Case No. PU-20-165, and is subject to the conditions and limitations noted in those Orders.

Bismarck, North Dakota, June 10, 2020.

ATTEST:

PUBLIC SERVICE COMMISSION



Executive Secretary



Commissioner

STATE OF NORTH DAKOTA

First Reissued Route Permit Number 162

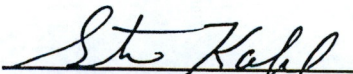
This is to certify that the Commission has designated a transmission facility route for Dakota Prairie Refining, LLC for the construction, operation and maintenance of a 6-inch pipeline between the Dakota Prairie Refinery and the Dickinson Rail Terminal in Stark County, North Dakota for the transmission of refined petroleum products.


This transmission facility route is designated in accordance with the Commission's December 30, 2013 Order in Case No. PU-13-799 and the Commission's June 10, 2020 Order in Case No. PU-20-165, and is subject to the conditions and limitations noted in those Orders.

Bismarck, North Dakota, June 10, 2020.

ATTEST:

PUBLIC SERVICE COMMISSION


Executive Secretary


Commissioner

STATE OF NORTH DAKOTA

First Reissued Route Permit Number 163


This is to certify that the Commission has designated a transmission facility route for Dakota Prairie Refining, LLC for the construction, operation and maintenance of an 8-inch pipeline between the Dakota Prairie Refinery and the Dickinson Rail Terminal in Stark County, North Dakota for the transmission of refined petroleum products.

This transmission facility route is designated in accordance with the Commission's December 30, 2013 Order in Case No. PU-13-799 and the Commission's June 10, 2020 Order in Case No. PU-20-165, and is subject to the conditions and limitations noted in those Orders.

Bismarck, North Dakota, June 10, 2020.

ATTEST:

PUBLIC SERVICE COMMISSION


Executive Secretary


Commissioner