

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 REGULAR AND ELECTRONIC 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, Bismarck, North Dakota, **3** envelopes by first class mail, fully prepaid, securely sealed each containing a photocopy of:

- **Order**

The envelopes were addressed as follows:

See attached list

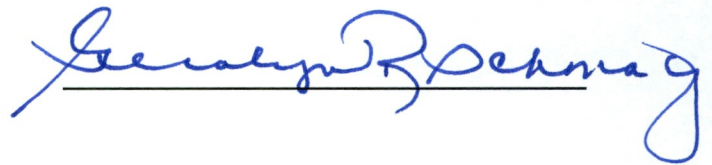
Geralyn R. Schmaltz further deposes and says that on the **11th day of June 2020**, she sent an electronic message to **41** addressees, each including an electronic copy in portable document format of the same document.

The electronic mails were addressed as follows:

See attached list

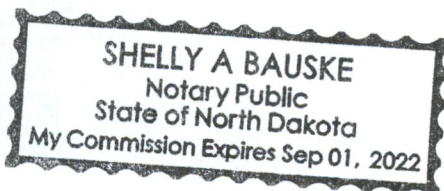
The addresses shown are the respective addressee's last reasonably ascertainable post office and electronic mail addresses.

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



Notary Public

(SEAL)



Federal Aviation Administration
2301 University Avenue Building 23B
Bismarck ND 58504

County Commission
Stark County
PO Box 130
Dickinson ND 58602-0130

Kay Haag
Stark County Auditor
PO Box 130
Dickinson ND 58602-0130

ndaero@nd.gov
Gaye Niemiller
Aeronautics Commission
PO Box 5020
Bismarck ND 58502-5020

masagsve@nd.gov
Matt Sagsveen
Attorney General's Office

dhseo@nd.gov

Department of Human Services

energyimpact@nd.gov

Energy Infrastructure and Impact Office

sjdavis@nd.gov
Scott Davis
Indian Affairs Commission
State Capitol - 1st Floor J Wing INSIDE
Bismarck ND 58505

joey.specht@us.af.mil
Joey Specht
Minot AFB

Minot ND

trev.albright@us.af.mil
Trev Albright
Minot AFB

Minot ND

gheiser@nd.gov
Gerald Heiser
N D Water Commission
900 E Boulevard
Bismarck ND 58505

ndascd@lincolnoakes.com

ND Assoc of Soil Conservation Dist
3310 University Drive
Bismarck ND 58504-7564

mdockter@nd.gov
Monte Dockter
ND Department of Transportation
State Highway Building
Bismarck ND 58505

goehring@nd.gov
Doug Goehring
Agriculture Department
State Capitol
Bismarck ND 58505

todd.j.lindquist@usace.army.mil
Todd Lindquist
Corp of Engineers
PO Box 527
Riverdale ND 58565-0527

cte@nd.gov

Dept of Career and Technical Education
State Capitol
Bismarck ND 58505

governor@nd.gov
Doug Burgum
Governor's Office
State Capitol
Bismarck ND 58505

bruce.johnson.25@us.af.mil
Bruce Johnson
Minot AFB

Minot ND

lauren.kinker@us.af.mil
Lauren Kinker
Minot AFB

Minot ND

stevebest@nd.gov
Steve Best
N D Water Commission
900 E Boulevard
Bismarck ND 58505

christi.fisher@nd.usda.gov
Christi Fisher
NATURAL RESOURCE CONSERVATION SVC
PO BOX 1458
BISMARCK ND 58502-1458

ksonsalla@nd.gov
Kevin Sonsalla
ND Department of Commerce

tsteinwa@nd.gov
Terry Steinwand
ND GAME & FISH DEPT
INSIDE MAIL

caboyd@nd.gov
Clint Boyd
ND Geological Survey

emurphy@nd.gov
MR ED MURPHY
ND GEOLOGICAL SURVEY

mkommer@nd.gov
Michelle Kommer
ND Job Service
P.O. Box 5507 INSIDE MAIL
Bismarck ND 58506-5507

labor@nd.gov
ND Labor Department

mhumann@nd.gov
Mike Humann
ND Land Department

jjkringstad@ndpipelines.com
ND Pipeline Authority

ndicinfo@nd.gov
North Dakota Industrial Commission

rjgardner@nd.gov
Ryan Gardner
North Dakota Parks & Rec
1600 E Century Ave, Ste. 3 INSIDE MAIL
Bismarck ND 58503-0649

TylerHamman@lignite.com
Tyler Hamman
North Dakota Transmission Authority

thomas.claeys@nds.edu
Thomas Claeys
NSDU North Dakota State Forest Service

pwax@nd.gov
Peter Wax
State Health Department

dglatt@nd.gov
Dave Glatt
State Health Department

krockema@nd.gov
Karl Rockeman
State Health Department

lbmeidinger@nd.gov
Lorna Meidinger
State Historical Society

lsimons@nd.gov
Luke Simons
State Representative
11509 27th Street SW
Dickinson ND

mischatz@nd.gov
MIKE SCHATZ
STATE REPRESENTATIVE
400 9TH ST E
NEW ENGLAND ND 58647-7528

jayelkin@nd.gov
Jay Elkin
State Senator

wendy ross@nps.gov
Wendy Ross
Theodore Roosevelt Nat'l Park
PO Box 7
Medora ND 58645

sschwenke@fs.fed.us
Sherri Schwenke
U S Forest Service
240 W Century Ave
Bismarck ND 58501-1494

gjwiche@usgs.gov
District Chief
U S Geological Survey
821 E Interstate Ave
Bismarck ND 58501

cenwo-de@usace.army.mil
District Engineer
US Army Engineer District Omaha
1616 Capitol Ave
Omaha NE 68102

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

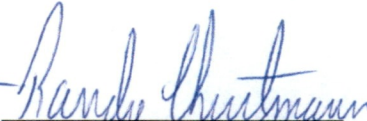
The Commission Orders:

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**

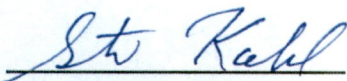
This is to certify that the Commission has designated a transmission facility corridor for Dakota Prairie Refining, LLC for the construction, operation and maintenance of a 6-inch and an 8-inch pipeline between the Dakota Prairie Refinery and the Dickinson Rail Terminal in Stark County, North Dakota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

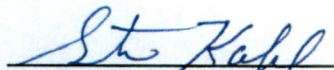
This is to certify that the Commission has designated a transmission facility route for Dakota Prairie Refining, LLC for the construction, operation and maintenance of a 6-inch pipeline between the Dakota Prairie Refinery and the Dickinson Rail Terminal in Stark County, North Dakota for the transmission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

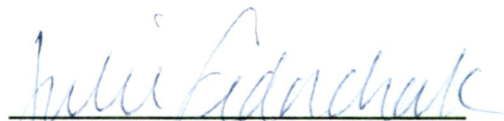
This transmission facility route is designated in accordance with the Commission's December 30, 2013 Order in Case No. PU-13-799 and the Commission's June 10, 2020 Order in Case No. PU-20-165, and is subject to the conditions and limitations noted in those Orders.

Bismarck, North Dakota, June 10, 2020.

ATTEST:

PUBLIC SERVICE COMMISSION


Executive Secretary


Commissioner

STATE OF NORTH DAKOTA

First Reissued Route Permit Number 163

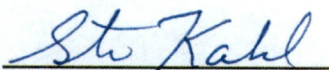
This is to certify that the Commission has designated a transmission facility route for Dakota Prairie Refining, LLC for the construction, operation and maintenance of an 8-inch pipeline between the Dakota Prairie Refinery and the Dickinson Rail Terminal in Stark County, North Dakota for the transmission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