



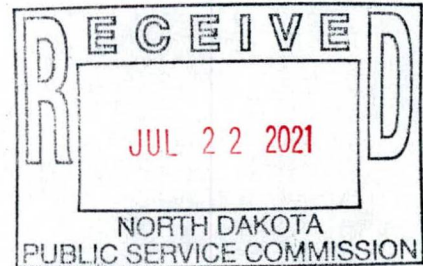
Wayne Stenejem
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OPINION

July 21, 2021



Mr. John Schuh
Public Service Commission
600 E. Boulevard Ave Dept 408
Bismarck, ND 58505

Dear Mr. Schuh,

The Office of Attorney General has examined the proposed new N.D.A.C. ch. 69-09-11 concerning common pipeline carriers, and the proposed amended N.D.A.C. art. 69-06 concerning energy conversion facility siting criteria, along with the notice of the proposed rules, the publication of that notice, and the filing of that notice with the Legislative Council. This office has also determined that 1) a written record of the agency's consideration of any comments to the proposed rules was made, 2) a regulatory analysis was issued, 3) a takings assessment was not prepared, 4) a small entity regulatory analysis and an economic impact statement were prepared, and 5) the proposed rules are within the agency's statutory authority.

These administrative rules are in substantial compliance¹ with N.D.C.C. ch. 28-32 and are hereby approved as to their legality. Upon final adoption, these rules may be filed with the Legislative Council.

17 **PU-20-398** Filed: 7/22/2021 Pages: 1
Opinion - Rules in Compliance and Approved as to
their Legality

North Dakota Attorney General

25 **PU-20-422** Filed: 7/22/2021 Pages: 1
Opinion - Rules in Compliance and Approved as to
their Legality

North Dakota Attorney General

Sincerely,

Wayne Stenejem
Attorney General

cc: Vonette J. Richter, Legislative Council

¹ The Public Service Commission requested publication of an abbreviated Notice of Intent to Adopt Administrative Rules and Notice of Public Hearing (Notice) in each official county newspaper. However, the Notice did not run in the *Mouse River Journal*. The Notice was published in 50 of the 51 official county newspapers of the state.