

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Public Service Commission
Northern States Power Company
Pipeline Safety Enforcement

Case No. GS-20-412

AFFIDAVIT OF SERVICE BY CERTIFIED MAIL

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Shelly A. Bauske deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **18th day of December 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 photocopy of:

- **Order on Notice of Probable Violation**

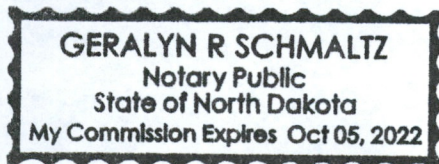
The envelope was addressed as follows:

Luke Litteken, Sr VP Gas
Xcel Energy Services Inc.
1800 Larimer St
Denver CO 80202
Cert. No. 7019 2280 0000 0693 1235

The address shown is the respective addressee's last reasonably ascertainable mailing address.

Shelly A Bauske

Subscribed and sworn to before me
this **18th day of December 2020**.



Geraldyn R Schmaltz
Notary Public

SEAL

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Affidavit of Service, Cert. Mail - Order on Notice of
Probable Violation

Public Service Commission

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ORDER ON NOTICE OF PROBABLE VIOLATION

December 16, 2020

Preliminary Statement

On August 31, 2020, Public Service Commission (Commission) Staff (Staff) conducted an Operator Qualification Field Inspection at 1309 11th St N Fargo, ND.

On October 2, 2020, the Program Manager for the Commission's Gas Pipeline Safety Program issued a Notice of Probable Violation (NOPV) and Proposed Compliance Order (PCO).

On November 6, 2020, Northern States Power Company, a Minnesota company and wholly owned subsidiary of Xcel Energy Company (NSP) submitted a letter in response to the NOPV and PCO. In their response, NSP provided they are not contesting the NOPV and would remit payment for the \$30,000 civil penalty. However, NSP provided they are objecting to the PCO, and submitted written explanation, information, and other materials in their response to the allegations. A hearing was not requested.

On November 23, 2020, the Commission received the \$30,000 civil penalty payment from NSP.

Discussion

An Operator Qualification Field Inspection was conducted on August 31, 2020 at 1309 11th St N Fargo, ND. Staff observed several covered tasks set forth in Xcel Energy's Compliance and Standards Manual – v. 2020-1 Issued January 1, 2020 related to the covered task "CT-640 – Installation of Customer Meters and Regulators".

During the Operator Qualification Field Inspection, Staff identified the following probable violations of Pipeline Safety Regulations:

1. Individuals were performing a covered task on NSP's pipeline facilities without qualification or direct supervision as required by Title 49 Code of Federal Regulations Part 192 Subpart N.
2. NSP failed to adequately prepare and follow a manual of written procedures for conducting operations and maintenance activities as

required by Title 49 Code of Federal Regulations Part 192 section 192.605(a).

On October 2, 2020, the Program Manager issued a NOPV outlining and alleging the probable violations and proposed a civil penalty of \$30,000 and a PCO.

In their November 6, 2020 response, NSP chose a response option which provides they are not contesting the allegation of the probable violations and subsequently issued payment to the Commission for the civil penalty in the amount of \$30,000.

Pursuant to Title 49 CFR Part 190 section 190.208, by NSP not contesting the NOPV, paying the proposed penalty and advising the Commission of the payment, NSP has admitted to the Probable Violations and authorized the Commission to make a finding of violations and issue an order.

Regarding the PCO, NSP chose a response option contesting terms of the PCO and submitted a written explanation, information, and other materials. The response letter did not request a hearing. The Commission is continuing to review the response to the PCO.

Order

The Commission orders:

1. NSP violated Title 49 Code of Federal Regulations Part 192 Subpart N by failing to ensure that individuals performing covered tasks on their pipeline facilities were qualified or under direct supervision as required by this part.
2. NSP violated Title 49 Code of Federal Regulations Part 192 section 192.605(a) by failing to adequately prepare and follow a manual of written procedures for conducting operations and maintenance activities.
3. The Commission accepts NSP's payment of \$30,000 in full satisfaction of the civil penalty.

PUBLIC SERVICE COMMISSION


Julie Fedorchak
Commissioner


Brian Kroshus
Chairman


Randy Christmann
Commissioner