

PUBLIC SERVICE COMMISSION
STATE OF NORTH DAKOTA

M E M O R A N D U M

TO: Commissioners Fedorchak, Christmann, and Kroshus
Steve Kahl, Executive Secretary
John Schuh, General Counsel
Konrad Crockford, Director, Compliance Division

FROM: Caleb Simburger, Program Manager
Gas Pipeline Safety

DATE: June 16, 2021

RE: Case No. GS-20-412
Northern States Power Co of Minnesota
Pipeline Safety Enforcement

On August 31, 2020, the Public Service Commission's (Commission) Gas Pipeline Safety Program Staff (Staff) conducted an Operator Qualification Field Inspection (OQ Inspection) of Northern States Power Company (NSP), a Minnesota company and wholly owned subsidiary of Xcel Energy Company (Xcel), in Fargo, North Dakota.

On October 2, 2020, Staff issued a Notice of Probable Violation (NOPV) and Proposed Compliance Order (PCO) due to violations identified during the OQ Inspection.

On November 6, 2020, Xcel, submitted a letter in response to the NOPV and PCO. In the response, Xcel did not contest the NOPV and elected to remit the \$30,000 civil penalty payment. However, Xcel did object to the PCO and submitted a written explanation, information, and other materials in their response. A hearing was not requested.

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

On November 25, 2020, Staff sent follow-up questions to Xcel regarding the response and objections to the PCO.

On December 16, 2020, the Commission issued an Order on the NOPV and accepted the civil penalty payment in full and final satisfaction of the NOPV.

Between November 25, 2020 and June 11, 2021, Staff and Xcel held several remote meetings to discuss and work through the PCO.

On June 11, 2021, Xcel submitted a final response and documentation to the requirements of the PCO. Staff reviewed the response and documentation and believes Xcel has adequately addressed and incorporated the remedial action requirements of the PCO to ensure compliance with the pipeline safety regulations.

In consideration of the above details, Staff recommends that no additional action be required, and the case be closed.