

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**Tesoro High Plains Pipeline / Bakken Oil Express
Transfer - Certificate #150 & Permit #161
Siting Application**

Case No. PU-22-334

ORDER

November 30, 2022

Preliminary Statement

On December 30, 2013, in Case No. PU-13-825, the Commission issued its Findings of Fact, Conclusions of Law and Order issuing Certificate of Corridor Compatibility Number 150 and Route Permit Number 161, to Bakken Oil Express, LLC (“BOE”), designating a corridor for the construction, operation, and maintenance of a 38-mile, 16-inch diameter crude oil pipeline and associated facilities in Dunn and Stark Counties, North Dakota.

On February 26, 2014, in Case No. PU-13-825, the Commission amended its original Order and issued First Amended Certificate of Corridor Compatibility Number 150 and First Amended Route Permit Number 161 to BOE.

On July 25, 2022, in Case No. PU-22-334, BOE, and Tesoro High Plains Pipeline Company LLC (Tesoro) filed a joint application to transfer Certificate Number 150 and Permit Number 161 from BOE to Tesoro.

On August 17, 2022, the Commission issued a Notice of Opportunity for Hearing providing until September 30, 2022, for comments and requests for hearing.

The Notice identified the following issues to be considered:

1. Whether Tesoro agrees and is able to comply with the terms and conditions of the certificate, and
2. Whether the requested transfer is compatible with the public interest.

On August 31, 2022, comments were received from the North Dakota Department of Environmental Quality stating that the department believes that environmental impacts from the proposed construction will be minor and can be controlled by proper construction methods.

Discussion

Tesoro High Plains Pipeline Company, 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 April 1, 2011, in Case No. PU-11-229. Bakken Oil Express, LLC is a North Dakota limited liability company authorized to do business in the State of North Dakota, as evidenced by the corporate papers filed with the Commission on October 17, 2013, in Case No. PU-13-836.

On December 30, 2013, BOE was given authorization by the Commission to construct an approximately 38 mile, 16-inch diameter crude oil pipeline and associated facilities that originated at a truck unloading and pumping facility in Dunn County near Killdeer, North Dakota, and terminating at a raiiling loading and storage facility located southeast of Dickinson in Stark County, North Dakota. The maximum daily output was approximated at 165,000 barrels per day.

On January 21, 2014, BOE filed with the Commission a request to amend the December 30, 2013, order to increase the diameter of the pipeline from 16-inches to 20-inches along a four mile segment extending from the pipeline's terminus to facilitate an interconnect with True Oil, LLC's Belle Fourche Pipeline. BOE approximated that the interconnect would increase the maximum daily output of the pipeline to 250,000 barrels per day.

On July 25, 2022, Tesoro and BOE filed a joint application with the Commission to seek authorization for the transfer of First Amended Certificate of Corridor Compatibility No. 150 and First Amended Route Permit No. 161 from BOE to Tesoro and reissue the certificate and permit in the name of Tesoro.

The affidavit of Darren Snow, Operations Director, North West Area of Tesoro, received July 25, 2022, indicates that Tesoro agrees to assume the rights and obligations of BOE with respect to the Certificate 150 and Permit 161, including the conditions, limitations, rights and obligations set forth in the amended February 26, 2014, Order and any other conditions or modifications set forth in subsequent orders of the Commission with respect to the Certificate 150 and Permit 161.

Having considered this matter, the Commission finds that Tesoro High Plains Pipeline Company, LLC agrees and is able to comply with the terms and conditions of Certificate 150 and Permit 161 and the requested transfer is compatible with the public interest. Therefore, the Commission issues its:

Order

The Commission Orders:

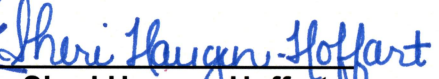
1. The application for transfer of Certificate of Corridor Compatibility No. 150 and Route Permit No. 161 is granted.

2. First Amended First Reissued Certificate of Corridor Compatibility No. 150, and First Amended First Reissued Route Permit No. 161 are issued to Tesoro High Plains Pipeline Company, LLC.

PUBLIC SERVICE COMMISSION


Randy Christmann
Commissioner


Julie Fedorchak
Chairman


Sheri Haugen-Hoffart
Commissioner

PUBLIC SERVICE COMMISSION
STATE OF NORTH DAKOTA

First Amended First Reissued
Certificate of Corridor Compatibility Number 150

This is to certify that the Commission has designated a transmission facility corridor for Tesoro High Plains Pipeline Company, LLC's 38-mile, sixteen-inch and twenty-inch diameter crude oil pipeline originating at a tanker truck unloading and pumping facility near the City of Killdeer in Dunn County, North Dakota, and terminating at a rail loading and storage facility owned and operated by Bakken Oil Express, LLC, located to the southwest of the City of Dickinson in Stark County, North Dakota.

This certificate is issued in accordance with the Orders of this Commission dated December 30, 2013, and February 26, 2014, in Case No. PU-13-825, and the Order dated November 30, 2022, in Case No. PU-22-334 and is subject to the conditions and limitations noted in those Orders.

Bismarck, North Dakota, November 30, 2022.

ATTEST:

PUBLIC SERVICE COMMISSION



Executive Secretary



Commissioner

PUBLIC SERVICE COMMISSION
STATE OF NORTH DAKOTA

**First Amended First Reissued
Route Permit Number 161**

This is to certify that the Commission has designated a transmission facility route for Tesoro High Plains Pipeline Company, LLC's 38-mile, sixteen-inch and twenty-inch diameter crude oil pipeline originating at a tanker truck unloading and pumping facility near the City of Killdeer in Dunn County, North Dakota, and terminating at a rail loading and storage facility owned and operated by Bakken Oil Express, LLC, located to the southwest of the City of Dickinson in Stark County, North Dakota.

This certificate is issued in accordance with the Orders of this Commission dated December 30, 2013, and February 26, 2014, in Case No. PU-13-825, and the Order dated November 30, 2022, in Case No. PU-22-334 and is subject to the conditions and limitations noted in those Orders.

Bismarck, North Dakota, November 30, 2022.

ATTEST:

PUBLIC SERVICE COMMISSION



Executive Secretary



Commissioner