

400 North Fourth Street
Bismarck, ND 58501
701-222-7900

September 7, 2022

Mr. Victor Schock
Mr. John Schuh
North Dakota Public Service Commission
State Capitol Building
Bismarck, ND 58505-0480

Re: Case No. PU-22-____
Request for Jurisdictional
Determination for Pipeline to Serve
North Dakota Soybean Processors,
Inc. near Casselton, North Dakota

Dear Mr. Schock and Mr. Schuh:

Montana-Dakota Utilities Co. (Montana-Dakota) herewith requests a jurisdictional determination regarding the applicability of Chapter 49-22 of the North Dakota Century Code to a new pipeline segment necessary to initially provide service to North Dakota Soybean Processors Inc. (NDSP) as requested in Case No. PU-22-____ on the WBI Transmission line to NDSP's facility near Casselton, North Dakota.

Montana-Dakota has entered into a natural gas extension agreement to provide firm natural gas service to NDSP near Casselton, North Dakota. Montana-Dakota has separately filed an Application with the North Dakota Public Service Commission requesting authority under N.D.C.C. Chapter 49-03.1 to provide such service. Montana-Dakota now requests a jurisdictional determination that a route permit is not required under N.D.C.C. Chapter 49-22 for Montana-Dakota to extend service to NDSP. Montana-Dakota's extension will include a new tap on the WBI Transmission line, a new Town Border Station (TBS), and approximately 10,700 feet of six-inch steel main to serve NDSP's facility near Casselton, North Dakota.

Montana-Dakota asserts that the proposed pipeline is a distribution line and not a transmission line under the North Dakota Public Service Commission's (Commission) existing policy and precedent. Title 49 CFR Part 192.3 defines a Distribution Line as a pipeline other than a gathering or transmission line. The pipeline to be installed is not a gathering line and does not meet the definition of a

transmission line denoted as a pipeline, other than a gathering line, that (1) Transports gas from a gathering line or a storage facility to a distribution center, storage facility, or large volume customer that is not down-stream from a distribution center, (2) operates at a hoop stress of 20 percent or more of specified minimum yield strength (SMYS), or (3) transports gas within a storage field.


The Company plans to use six-inch (6) API5L grade X52 steel pipe with a wall thickness of 0.280. The pipeline will operate at 200 pounds per square inch (PSI) and will operate at a hoop stress of less than 20 percent SMYS.

The pipeline will be installed and maintained in conformance with the federal pipeline safety standards as well as safety standards adopted by the Commission.

The line is functionally equivalent to a distribution line and will operate with a hoop stress of less than 20 percent SMYS. Therefore, Montana-Dakota respectfully requests a determination that the proposed pipeline provides a distribution function similar to that provided to any other end use customer that is served directly off a distribution center or off an interstate pipeline system.

Please contact me at 701.222.7855 or travis.jacobson@mdu.com if you have questions or need additional information to make a determination regarding this natural gas line necessary to serve NDSP near Casselton, North Dakota.

Sincerely,



Travis R. Jacobson
Director of Regulatory Affairs

Attachments

Cc: Allison Waldon
Paul Sanderson
Larry Oswald