

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Caliber Midstream Partners / Caliber North Dakota
Transfer – Corridor #164 & Route #176
Siting Application

Case No. PU-22-416

AFFIDAVIT OF SERVICE BY CERTIFIED MAIL

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Geralyn R. Schmaltz deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **9th day of March 2023** 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 a photocopy of:

- Order

And Original Of:

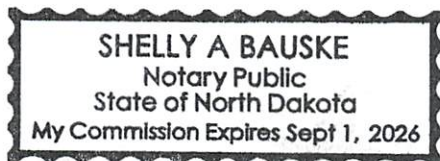
- First Amended First Reissued Certificate of Corridor Compatibility Number 164
- First Amended First Reissued Route Permit Number 176

The envelope was addressed as follows:

Casey Furey
Crowley Fleck PLLP
PO Box 2798
Bismarck, ND 58502-2798
Cert. No. 7021 2720 0000 4438 7146

Each address shown is the respective addressee's last reasonably ascertainable post office address.

Subscribed and sworn to before me
this **9th day of March 2023**.




Notary Public

SEAL

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**Caliber Midstream Partners / Caliber North Dakota
Transfer – Corridor #164 & Route #176
Siting Application**

Case No. PU-22-416

ORDER

March 8, 2023

Preliminary Statement

On April 8, 2015, in Case No. PU-14-689 the Commission adopted Findings of Fact, Conclusions of Law and Order issuing Certificate of Corridor Compatibility Number 164, and Route Permit Number 176, to Caliber Midstream Partners, L.P., for the construction, operation, and maintenance of approximately 4.4 miles of 6-inch natural gas liquids pipeline and associated facilities in McKenzie County, North Dakota.

On April 29, 2015, the Commission amended its original Order and issued the First Amended Certificate of Corridor Compatibility Number 164, and First Amended Route Permit Number 176, to Caliber Midstream Partners, L.P.

On December 1, 2022, in Case No. PU-22-416, Caliber Midstream Partners, L.P., and Caliber North Dakota LLC filed a joint application to transfer First Amended Certificate of Corridor Compatibility Number 164, and First Amended Route Permit Number 176 from Caliber Midstream Partners, L.P. to Caliber North Dakota LLC.

On January 11, 2023, the Commission issued a Notice of Opportunity for Hearing that provided until February 24, 2023, for receiving written comments and hearing requests. No response was received. The Notice identified the issues to be considered in this proceeding are:

1. Whether Caliber North Dakota 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.

Discussion

Caliber North Dakota, LLC, is a Delaware limited liability company authorized to do business in North Dakota, as evidenced by corporate papers filed with the Commission on December 1, 2022, in Case No. PU-21-405.

Caliber North Dakota, LLC is a wholly owned subsidiary of Caliber Midstream Partners, L.P., and the ultimate ownership, control, and operation of the originally authorized facilities.

The Affidavit of Bill Kent, Chief Executive Officer of Caliber North Dakota, LLC, states that Caliber North Dakota, LLC has the financial and technical qualifications to own and operate the facilities in the same manner as Caliber Midstream Partners, L.P. Further, Caliber North Dakota, LLC agrees to assume the rights and obligations of Caliber Midstream Partners, L.P. with respect to First Amended Certificate of Corridor Compatibility Number 164, and First Amended Route Permit Number 176, and to comply with the terms and conditions of Certificate, Permit and Order.

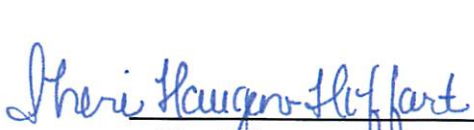
Having considered this matter, the Commission finds Caliber North Dakota, LLC agrees and is able to comply with the terms and conditions of First Amended Certificate of Corridor Compatibility Number 164, and First Amended Route Permit Number 176 and the requested transfer is compatible with the public interest.

Order

The Commission orders:

1. The application for transfer of the First Amended Certificate of Corridor Compatibility Number 164 and First Amended Route Permit Number 176 is approved.
2. First Amended First Reissued Certificate of Corridor Compatibility Number 164 and First Amended First Reissued Route Permit Number 176 is issued to Caliber North Dakota, LLC.

PUBLIC SERVICE COMMISSION



Sheri Haugen-Hoffart
Commissioner



Randy Christmann
Chair



Julie Fedorchak
Commissioner

**PUBLIC SERVICE COMMISSION
STATE OF NORTH DAKOTA**

**First Amended First Reissued
Certificate of Corridor Compatibility Number 164**

This is to certify that the Commission has designated a transmission facility corridor for Caliber North Dakota LLC for the construction, operation, and maintenance of approximately 4.4 miles of 6-inch diameter natural gas liquids pipeline in McKenzie County, North Dakota.

This certificate is issued in accordance with the Commission's April 8, 2015, Order and amended by the Commission's April 29, 2015, Order in Case No. PU-14-689, and the Commission's March 8, 2023, Order in Case No. PU-22-416; and is subject to the conditions and limitations noted in the Orders.

Bismarck, North Dakota, March 8, 2023.

ATTEST:

PUBLIC SERVICE COMMISSION



Executive Secretary



Commissioner

PUBLIC SERVICE COMMISSION
STATE OF NORTH DAKOTA

First Amended First Reissued
Route Permit Number 176

This is to certify that the Commission has designated a transmission facility route for Caliber North Dakota LLC for the construction, operation, and maintenance of approximately 4.4 miles of 6-inch diameter natural gas liquids pipeline in McKenzie County, North Dakota.

This permit is issued in accordance with the Commission's April 8, 2015, Order and amended by the Commission's April 29, 2015, Order in Case No. PU-14-689, and the Commission's March 8, 2023, motion in Case No. PU-22-416; and is subject to the conditions and limitations noted in the Orders.

Bismarck, North Dakota, March 8, 2023.

ATTEST:

PUBLIC SERVICE COMMISSION


Executive Secretary


Commissioner