

## Thompson, Pamela J.

---

**From:** Johnson, Brian L.  
**Sent:** Tuesday, January 30, 2024 2:43 PM  
**To:** Thompson, Pamela J.  
**Subject:** FW: Revised rules packet  
**Attachments:** Revised Request to Attorney General Regarding Legality of Proposed Rules.pdf

---

**From:** Johnson, Brian L.  
**Sent:** Tuesday, January 30, 2024 2:02 PM  
**To:** Lockard, Annique M. <alockard@nd.gov>  
**Subject:** Revised rules packet

Here is the revised packet with the addition you requested. Let me know if there is anything else needed.

And thanks for the guidance!

Brian Johnson  
Special Assistant Attorney General  
**NORTH DAKOTA PUBLIC SERVICE COMMISSION**

600 E Boulevard Ave. Dept 408 | Bismarck, ND 58505-0480  
p: 701-328-2407 | <https://www.psc.nd.gov>

---

This transmission, email and any files transmitted with it, may be: (1) subject to the Attorney-Client Privilege, (2) an attorney work product, or (3) strictly confidential under federal or state law. If you are not the intended recipient of this message, you may not use, disclose, print, copy or disseminate this information. If you have received this transmission in error, notify the sender (only) and delete the message. This message may also be subject to disclosure under the North Dakota Open Records Laws.

- 28 PU-23-264 Filed 01/30/2024 Pages: 93  
Revised Request to Attorney General Regarding Legality of Proposed Rules  
Public Service Commission  
Brian Johnson, Legal Counsel
- 27 GS-23-289 Filed 01/30/2024 Pages: 93  
Revised Request to Attorney General Regarding Legality of Proposed Rules  
Public Service Commission  
Brian Johnson, Legal Counsel



# Public Service Commission

Sheri Haugen-Hoffart

Randy Christmann

Julie Fedorchak

600 East Boulevard Ave  
Dept. 408  
Bismarck, ND 58505-0480  
701-328-2400  
ndpsc@nd.gov

*via electronically to NDAG@nd.gov*

16 January 2024

The Honorable Drew H. Wrigley  
Attorney General  
State Capitol  
600 E. Boulevard Ave., Dept 125  
Bismarck, ND 58505-0040

Re: Proposed Amendments to Administrative Rules  
PSC Case Numbers PU-23-264 and GS-23-289

Dear Attorney General Wrigley:

Enclosed please find the proposed amendments North Dakota Administrative Code 69-09-12-01 69-09-12-05, and 69-09-03-01 and 69-09-03-02 by the North Dakota Public Service Commission. The proposed rules have been approved for adoption by the North Dakota Public Service Commission.

I would like to bring to your attention that the Abbreviated Notice was published in each of the official county newspapers in the state during the weeks of September 11 through September 28, 2023. The Williston Herald and the Center Republican failed to publish the administrative rules 20 days prior to the hearing. The Williston Herald published originally on September 28, 2023, and the Center Republican on September 28, 2023. The Williston Herald republished on November 15, 2023, and the Center Republican republished on December 7, 2023, with comments to remain open until 10 days after publication.

In accordance with N.D.C.C. § 28-32-14, we request your examination of these rules as to their legality so they may be considered for formal adoption and publication in the North Dakota Administrative Code.

Enclosed for purposes of review are copies of or, statements regarding, the following:

1. The 16 January 2024 Public Service Commission Motion and Order Submitting Rules to Attorney General, and upon approval from the Attorney General's office staff shall submit the rules as approved to Legislative Council;

2. The September 6, 2023, Public Service Commission Motion to propose revisions to ND Administrative Code and Issues Notices;
3. Full Notice of Intent to Adopt and Amend Administrative Rules and Notice of Public Hearing;
4. Abbreviated Notice of Intent to Adopt and Amend Administrative Rules and Notice of Public Hearing;
5. The 13 September 2023 Letter to Legislative Council enclosing Commission Motion, the Notice and Rules for publication on their website and email acknowledgement;
6. Proof of Publication
  - a. Letter/Affidavit confirming publication
  - b. A copy of the entire "billing"/publication list
  - c. A copy of ONE of the Abbreviated Notices as it was actually published
7. No oral or written comments were received on these rules. The rules for 69-09-12 were amended and changed a missed cyber security in 69-19-12-05 in the last paragraph.
8. No takings assessment was required because these rules do not limit the use of real property.
9. No regulatory analysis was required as the proposed rules are not expected to have an impact on the regulated community in excess of \$50,000, and neither the Governor nor any member of the Legislative Assembly requested a regulatory analysis.
10. None of the proposed rules will have an adverse economic impact on small entities.
11. The adoptions of these rules will not have an adverse impact on small entities. None of the rule changes would negatively impact them in a way that would require the commission to establish less stringent requirements, consolidation or simplification of reporting, establishing separate performance standards or exemptions from the proposed rule.
12. A fiscal note was not required because these rules have no fiscal effect.
13. The rule amendments for 69-09-12-01 and 69-09-12-05 implement House Bill number 1353 from the most recent legislative session and the sponsors were each provided a copy of the full notice of intent and the proposed rules.
14. These are not emergency rules.

The Honorable Drew Wrigley  
16 January 2024  
Page 3

Thank you for your consideration of the rules. If you have any questions, please do not hesitate to call or email.

Best regards,



Brian Johnson  
Special Assistant Attorney General

Enclosures

**APPROVED**  
DATE: 1/16/2024  
SAB

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Public Service Commission  
Pipeline Safety  
Rulemaking

Case No. GS-23-289

Public Service Commission  
Emerging Threats  
Rulemaking

Case No. PU-23-264

**MOTION**

**January 16, 2024**

I move the Commission adopt the Order Submitting Rules to Attorney General for an opinion as to legality in Public Service Commission, Pipeline Safety, Rulemaking, Case No. GS-23-289 and in Public Service Commission, Emerging Threats, Rulemaking, Case No. PU-23-264.

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

**Public Service Commission  
Pipeline Safety  
Rulemaking**

**Case No. GS-23-289**

**Public Service Commission  
Emerging Threats  
Rulemaking**

**Case No. PU-23-264**

**ORDER SUBMITTING RULES TO ATTORNEY GENERAL**

**January 16, 2024**

**Appearances**

Commissioners Randy Christmann, Julie Fedorchak, and Sheri Haugen-Hoffart.

**Preliminary Statement**

On September 6, 2023, the North Dakota Public Service Commission (Commission) issued a formal Notice of Intent to Adopt and Amend Administrative Rules and Notice of Public Hearing and an Abbreviated Notice of Intent to Adopt and Amend Administrative Rules and Notice of Public Hearing, proposing to create a proposed amendment to Article 69-09-03, and 69-09-12 of the North Dakota Administrative Code.

On September 6, 2023, the Commission forwarded the notices to the North Dakota Newspaper Association for publication at least 20 days in advance of the hearing.

On September 13, 2023, the notices, the commission motion, proposed rules and full motion were sent to Legislative Council.

The Abbreviated Notice was published in each of the official county newspapers in the state during the weeks of September 11 through September 28, 2023. The Williston Herald and the Center Republican failed to publish the administrative rules as described. The Williston Herald published originally on September 28, 2023, and the Center Republican on September 28, 2023. The Willison Herald republished on November 15, 2023, and the Center Republican republished on December 7, 2023, with comments to remain open until 10 days after publication.

On October 10, 2023, the Commission held the public hearing as noticed, beginning at 1:30 p.m. in the Commission Hearing Room, 12th floor, State Capitol, Bismarck, North Dakota.

No comments were received on the proposed rules, however commission staff noted there was a cybersecurity that was not changed to security. The rules were amended to correct this for continuity.

The proposed rules and amendments are summarized as follows:

**Case No. GS-23-289 - Section 69-09-03-01 and Section 69-09-03-02 – Pipeline Safety**

The purpose of this amendment is to adopt by reference the most recent amendments to pipeline safety regulations adopted by the United States Department of Transportation, Pipeline and Hazardous Materials Safety Administration (PHMSA). This rule change adopts amendments to safety regulations that have been adopted by PHMSA since December 1, 2021, current to September 6, 2023.

**Case No. PU-23-264 - Section 69-09-12-01 and Section 69-09-12-05 – Resource Plans and Cyber Security**

The purpose of this amendment is to change cybersecurity to security, which means physical and cyber security.

**Public Hearing and Comments**

No comments were made by industry or the public in either case during the hearing or during the following comment period.

Amendments to PU-23-264 were made after staff addressed a missed change of cyber security to security.

The Commission adopts N.D. Admin. Code § 69-09-03 and § 69-09-12 as amended.

**Discussion**

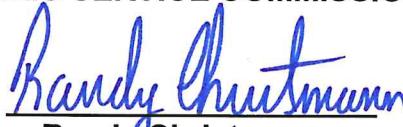
Having reviewed the proposed rules, and considered the testimony and comments received, the Commission finds good cause for submitting the proposed rule in Case No. GS-23-289 and PU-23-264 as revised after comment, attached to and made a part of this order, to the Attorney General for an opinion as to legality.

**ORDER**

The Commission orders that the proposed rules and amendments in Case No. GS-23-289 and PU-23-264, attached and made part of this order, be submitted to the Attorney General for an opinion that the rules are approved as to their legality, and upon approval from the Attorney General's office staff shall submit the rules as approved to Legislative Counsel.

**PUBLIC SERVICE COMMISSION**

  
Sheri Haugen-Hoffart  
Commissioner

  
Randy Christmann  
Chair

  
Julie Fedorchak  
Commissioner

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

**Public Service Commission**  
**Pipeline Safety**  
**Rulemaking**

**Case No. GS-23-289**

**CHAPTER 69-09-03**  
**PIPELINE SAFETY**

Section  
69-09-03-01 Safety  
69-09-03-02 Adoption of Regulations

**69-09-03-01. Safety.**

Pipeline facilities used for the intrastate distribution and transmission of natural and other gas, liquefied natural gas, or hazardous liquids shall be designed, constructed, and operated to meet the safety standards set forth in regulations of the United States department of transportation adopted in section 69-09-03-02. The commission may require such proof of compliance as it deems necessary.

**History:** Amended effective July 1, 1986; January 1, 1988; April 1, 2015;\_\_\_\_\_.

**General Authority:** NDCC 28-32-02, 49-02-04

**Law Implemented:** NDCC 49-02-01.2, 49-02-04

**69-09-03-02. Adoption of regulations.**

The following parts of title 49, Code of Federal Regulations in effect as of ~~December 1, 2021~~ September 6, 2023, are adopted by reference:

1. Part 190 - Pipeline Safety Programs and Rulemaking Procedures.
2. Part 191 - Transportation of Natural Gas and Other Gas by Pipeline, Annual Reports, Incident Reports, and Safety-Related Condition Reports.
3. Part 192 - Transportation of Natural and Other Gas by Pipeline: Minimum Federal Safety Standards.
4. Part 193 - Liquefied Natural Gas Facilities: Federal Safety Standards.
5. Part 194 - Response Plans for Onshore Oil Pipelines.
6. Part 195 - Transportation of Hazardous Liquids by Pipeline.

7. Part 199 - Drug and Alcohol Testing.

Copies of these regulations may be obtained from:

Public Service Commission  
600 East Boulevard, Dept. 408  
Bismarck, ND 58505-0480

**History:** Effective June 1, 1984; amended effective July 1, 1986; January 1, 1988; March 1, 1990; February 1, 1992; August 1, 1993; August 1, 1994; February 1, 1996; July 1, 1997; July 1, 1998; September 1, 1999; August 1, 2000; January 1, 2002; November 1, 2003; May 1, 2005; July 1, 2006; April 1, 2008; January 1, 2010; April 1, 2012; April 1, 2015; October 1, 2016; July 1, 2018; July 1, 2020; January 1, 2021; October 1, 2022;\_\_\_\_\_.

**General Authority:** NDCC 28-32-02

**Law Implemented:** NDCC 49-02-01.2

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

**Public Service Commission**  
**Emerging Threats**  
**Rulemaking**

**Case No. PU-23-264**

CHAPTER 69-09-12

RESOURCE PLANS AND ~~CYBERSECURITY~~SECURITY

Section

69-09-12-01 Definitions

69-09-12-02 Resource Plan Procedure

69-09-12-03 Resource Plan Attributes

69-09-12-04 Filing Requirements

69-09-12-05 Security

69-09-12-01. Definitions.

1. "Resource plan" means a set of resource options an electric public utility plans to use to meet

the electric capacity and energy requirements of the utility's customers over a planning horizon, including an explanation of the electric supply and demand circumstances when each resource option would be used to meet the capacity and energy needs in an adequate and reliable manner.

2. "Externality" means numerical costs or quantified values assigned to represent environmental costs that are not internalized in the cost of production, or the market price of electricity from a particular electric resource or the alleged costs of complying with future environmental laws or regulations that have not yet been enacted.

3. "Renewable integration cost" means the cost of measures to help meet the incremental needs of the system as more renewable energy is added to the resource mix.

4. "Unserved energy" means the amount of end-customer demand measured in megawatt-hours that cannot be supplied due to a deficiency of generation either generated or imported by the electric public utility or transmission capacity.

5. "Security" means physical security and cybersecurity.

History: Effective January 1, 2023; amended effective \_\_\_\_\_.

General Authority: NDCC 49-02-04

Law Implemented: NDCC 49-05-04.4, 49-05-17

69-09-12-05. Security.

1. An electric public utility shall meet with the commission annually to report on ~~cybersecurity~~security preparedness.

2. The report must provide:

a. Information on the policies, procedure, and process used to inform the management of ~~cybersecurity~~security risk;

b. Information on any critical technology, constraints related to procurement, supply chain risk, impact of compromise to the supply chain, and controls to manage risk associated with dependency on external entities;

c. An assessment of emerging threats and efforts taken by the electric public utility to implement ~~cybersecurity~~security measures;

d. A description of the process used to support compliance with applicable standards, laws, regulations, and best practices;

e. A description of the policies and protections used to ensure the security of information and operational systems and safeguard against loss of confidential information;

f. Information on activities to monitor, detect, and analyze information related to ~~cybersecurity~~security threats;

g. Information on the systems used for collaboration and communication of information and intelligence sharing;

h. Information on activities used to address a detected ~~cybersecurity~~security incident, contain impacts, limit potential damage, and manage consequences of a ~~cybersecurity~~security incident;

i. Information on any plans to maintain resilience and business continuity, timely recovery to normal operations, and corrective actions after occurrence of an incident;

j. Information or plans for asset sharing with other electric public utilities and electrical cooperatives to maintain services in the event of a security incident;

k. Information on tabletop and field training exercises regarding security;

3. The commission may close the meeting to discuss the ~~cybersecurity~~security report, unless the commission orders otherwise.

History: Effective January 1, 2023: amended effective \_\_\_\_\_.

General Authority: NDCC 49-02-04

Law Implemented: NDCC 49-05-17

**APPROVED**  
DATE: 09/06/2023  
DJT

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Public Service Commission  
Pipeline Safety  
Rulemaking

Case No. GS-23-289

Public Service Commission  
Emerging Threats  
Rulemaking

Case No. PU-23-264

**MOTION**

**September 6, 2023**

I move the Commission propose to adopt and amend the North Dakota Administrative Code as attached, issue a Notice of Intent to Amend Administrative Rules and Notice of Public Hearing, and issue an abbreviated Notice of Intent to Amend Administrative Rules and Notice of Public Hearing for publication in each official county newspaper throughout the state as required by law, in Public Service Commission, Pipeline Safety, Rulemaking, Case No. GS-23-289, and Public Service Commission, Emerging Threats, Rulemaking, Case No. PU-23-264.

Section 69-09-03  
Section 69-09-12

- 1 GS-23-289 Filed 09/06/2023 Pages: 1  
Commission Motion to Propose Revisions to ND Admin. Code and Issue Notices  
Public Service Commission
- 1 PU-23-264 Filed 09/06/2023 Pages: 1  
Commission Motion to Propose Revisions to ND Admin. Code and Issue Notices  
Public Service Commission

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Public Service Commission  
Pipeline Safety  
Rulemaking

Case No. GS-23-289

Public Service Commission  
Emerging Threats  
Rulemaking

Case No. PU-23-264

NOTICE OF INTENT TO ADOPT AND AMEND ADMINISTRATIVE RULES AND  
NOTICE OF PUBLIC HEARING

September 6, 2023

PLEASE TAKE NOTICE that the North Dakota Public Service Commission will hold a public hearing to address proposed amendments to N.D. Admin. Code **69-09-12**, and N.D. Admin. Code **69-09-03**.

A public hearing will be held on the proposed rules at **10:30 a.m. Central Time on October 10, 2023, in the Commission Hearing Room, 12th floor, State Capitol, Bismarck, North Dakota**. Written comments may be submitted to the Public Service Commission until the close of business on **October 20, 2022**.

The proposed adoption and revisions to the North Dakota Administrative Code are as follows:

**Case No. GS-23-289 - Section 69-09-03-01 and Section 69-09-03-02 – Pipeline Safety**

The purpose of this amendment is to adopt by reference the most recent amendments to pipeline safety regulations adopted by the United States Department of Transportation, Pipeline and Hazardous Materials Safety Administration (PHMSA). This rule change adopts amendments to safety regulations that have been adopted by PHMSA since December 1, 2021, current to September 6, 2023. The proposed change is not expected to have an impact on the regulated community in excess of \$50,000.

**Case No. PU-23-264 - Section 69-09-12-01 and Section 69-09-12-05 – Resource Plans and Cyber Security**

3 GS-23-289 Filed 09/06/2023 Pages: 2  
(Full) Notice of Intent to Adopt and Amend Administrative Rules and Notice of Public Hearing  
Public Service Commission

3 PU-23-264 Filed 09/06/2023 Pages: 2  
(Full) Notice of Intent to Adopt and Amend Administrative Rules and Notice of Public Hearing  
Public Service Commission

The purpose of this amendment is to change cybersecurity to Security which means physical and cyber security. The proposed change is not expected to have an impact on the regulated community in excess of \$50,000.

The proposed rulemaking implements House Bill 1353 enacted by the 68<sup>th</sup> Legislative Session, relating to Resource Planning and the annual reporting requirements an electric public utility shall report each year to include physical security as well as cyber security.

The proposed rules and amendments may be reviewed at the Public Service Commission's offices on the 12<sup>th</sup> floor of the State Capitol, 600 East Boulevard Ave, Dept. 408, Bismarck, North Dakota. A copy of the proposed rules or amendments and/or a regulatory analysis may be requested by writing the above address, emailing [ndpsc@nd.gov](mailto:ndpsc@nd.gov), or calling 701-328-2400, toll free 1-877-245-6685, Relay North Dakota TTY 1-800-366-6888. This information is also available on the Commission's web site at [www.psc.nd.gov](http://www.psc.nd.gov) under "Formal Actions/Case Search".

Interested persons may attend and submit comments at the hearing. Oral or written comments on the proposed rules may be submitted to the above address, email and phone numbers. Oral and written comments received by the close of business on **October 20, 2023**, will be fully considered.

If you plan to attend the public hearing and will need special facilities or assistance relating to a disability, please notify the Public Service Commission at the above telephone number or address at least 24 hours prior to the public hearing.

**PUBLIC SERVICE COMMISSION**

  
\_\_\_\_\_  
Sheri Haugen-Hoffart  
Commissioner

  
\_\_\_\_\_  
Randy Christmann  
Chair

  
\_\_\_\_\_  
Julie Fedorchak  
Commissioner

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Public Service Commission  
Pipeline Safety  
Rulemaking

Case No. GS-23-289

Public Service Commission  
Emerging Threats  
Rulemaking

Case No. PU-23-264

NOTICE OF INTENT TO ADOPT AND AMEND ADMINISTRATIVE RULES  
RELATING TO EMERGING THREATS REPORTING AND PIPELINE SAFETY  
AND NOTICE OF PUBLIC HEARING

September 6, 2023

**PLEASE TAKE NOTICE** that the North Dakota Public Service Commission will hold a public hearing to address proposed amendments to N.D. Admin. Code **69-09-12**, and N.D. Admin. Code **69-09-03**.

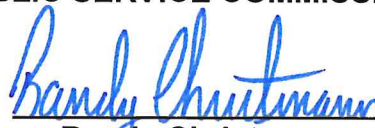
**A public hearing** will be held on the proposed rules at **10:30 a.m. Central Time on October 10, 2023, in the Commission Hearing Room, 12th floor, State Capitol, Bismarck, North Dakota**. Written comments may be submitted to the Public Service Commission until the close of business on **October 20, 2023**.

A copy of the proposed rules, analyses, and statements may be obtained at or by writing the Public Service Commission, 600 East Boulevard Avenue, Department 408, Bismarck, North Dakota 58505-0480, 701-328-2400, toll free 1-877-245-6685, Relay North Dakota TTY: 1-800-366-6888, or [ndpsc@nd.gov](mailto:ndpsc@nd.gov). This information is also available to view on the Public Service Commission's web site at [www.psc.nd.gov](http://www.psc.nd.gov) under "Formal Actions/Case Search".

If you plan to attend the public hearing and will need special facilities or assistance relating to a disability, please contact the agency at the above telephone number or address at least 24 hours prior to the public hearing.

PUBLIC SERVICE COMMISSION

  
\_\_\_\_\_  
Sheri Haugen-Hoffart  
Commissioner

  
\_\_\_\_\_  
Randy Christmann  
Chair

  
\_\_\_\_\_  
Julie Fedorchak  
Commissioner

- 4 GS-23-289 Filed 09/06/2023 Pages: 1  
(Abbreviated) Notice of Intent to Adopt and Amend Administrative Rules and Notice of Public Hearing  
Public Service Commission
- 4 PU-23-264 Filed 09/06/2023 Pages: 1  
(Abbreviated) Notice of Intent to Adopt and Amend Administrative Rules and Notice of Public Hearing  
Public Service Commission



# Public Service Commission

## State of North Dakota

---

### COMMISSIONERS

Randy Christmann  
Sheri Haugen-Hoffart  
Julie Fedorchak

600 East Boulevard, Dept. 408  
Bismarck, North Dakota 58505-0480  
Web: [www.psc.nd.gov](http://www.psc.nd.gov)  
E-mail: [ndpsc@nd.gov](mailto:ndpsc@nd.gov)  
Phone: 701-328-2400  
ND Toll Free: 1-877-245-6685  
Fax: 701-328-2410  
TDD: 800-366-6888 or 711

September 13, 2023

Ms. Liz Fordahl  
Assistant Code Revisor  
North Dakota Legislative Council  
State Capitol  
600 East Boulevard, 2nd Floor  
Bismarck, ND 58505-0360

Dear Ms. Fordahl:

The Notice of Intent to **Amend** Administrative Rules 69-09-03, and 69-09-12 and a copy of the proposed rules are enclosed as required by N.D.C.C. § 28-32-10(1).

Sincerely,

A handwritten signature in blue ink, appearing to be "BJ", written over a horizontal line.

Brian Johnson  
Special Assistant Attorney General Bar ID 07937  
North Dakota Public Service Commission  
600 East Boulevard Avenue Dept. 408  
Bismarck ND, 58505  
701-328-2407

### Enclosures

- 6 GS-23-289 Filed 09/13/2023 Pages: 8  
Letter to Legislative Council Enclosing Commission Motion, Proposed Rules, and Full Notice  
Public Service Commission
- 6 PU-23-264 Filed 09/13/2023 Pages: 8  
Letter to Legislative Council Enclosing Commission Motion, Proposed Rules, and Full Notice  
Public Service Commission

**APPROVED**  
DATE: 09/06/2023  
DJT

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Public Service Commission  
Pipeline Safety  
Rulemaking

Case No. GS-23-289

Public Service Commission  
Emerging Threats  
Rulemaking

Case No. PU-23-264

**MOTION**

**September 6, 2023**

I move the Commission propose to adopt and amend the North Dakota Administrative Code as attached, issue a Notice of Intent to Amend Administrative Rules and Notice of Public Hearing, and issue an abbreviated Notice of Intent to Amend Administrative Rules and Notice of Public Hearing for publication in each official county newspaper throughout the state as required by law, in Public Service Commission, Pipeline Safety, Rulemaking, Case No. GS-23-289, and Public Service Commission, Emerging Threats, Rulemaking, Case No. PU-23-264.

Section 69-09-03  
Section 69-09-12

- 1 GS-23-289 Filed 09/06/2023 Pages: 1  
Commission Motion to Propose Revisions to ND Admin. Code and Issue Notices  
Public Service Commission
- 1 PU-23-264 Filed 09/06/2023 Pages: 1  
Commission Motion to Propose Revisions to ND Admin. Code and Issue Notices  
Public Service Commission

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

**Public Service Commission**  
**Pipeline Safety**  
**Rulemaking**

**Case No. GS-23-289**

**CHAPTER 69-09-03**  
**PIPELINE SAFETY**

Section  
69-09-03-01 Safety  
69-09-03-02 Adoption of Regulations

**69-09-03-01. Safety.**

Pipeline facilities used for the intrastate distribution and transmission of natural and other gas, liquefied natural gas, or hazardous liquids shall be designed, constructed, and operated to meet the safety standards set forth in regulations of the United States department of transportation adopted in section 69-09-03-02. The commission may require such proof of compliance as it deems necessary.

**History:** Amended effective July 1, 1986; January 1, 1988; April 1, 2015;\_\_\_\_\_.

**General Authority:** NDCC 28-32-02, 49-02-04

**Law Implemented:** NDCC 49-02-01.2, 49-02-04

**69-09-03-02. Adoption of regulations.**

The following parts of title 49, Code of Federal Regulations in effect as of ~~December 1, 2021~~ September 6, 2023, are adopted by reference:

1. Part 190 - Pipeline Safety Programs and Rulemaking Procedures.
2. Part 191 - Transportation of Natural Gas and Other Gas by Pipeline, Annual Reports, Incident Reports, and Safety-Related Condition Reports.
3. Part 192 - Transportation of Natural and Other Gas by Pipeline: Minimum Federal Safety Standards.
4. Part 193 - Liquefied Natural Gas Facilities: Federal Safety Standards.
5. Part 194 - Response Plans for Onshore Oil Pipelines.
6. Part 195 - Transportation of Hazardous Liquids by Pipeline.

7. Part 199 - Drug and Alcohol Testing.

Copies of these regulations may be obtained from:

Public Service Commission  
600 East Boulevard, Dept. 408  
Bismarck, ND 58505-0480

**History:** Effective June 1, 1984; amended effective July 1, 1986; January 1, 1988; March 1, 1990; February 1, 1992; August 1, 1993; August 1, 1994; February 1, 1996; July 1, 1997; July 1, 1998; September 1, 1999; August 1, 2000; January 1, 2002; November 1, 2003; May 1, 2005; July 1, 2006; April 1, 2008; January 1, 2010; April 1, 2012; April 1, 2015; October 1, 2016; July 1, 2018; July 1, 2020; January 1, 2021; October 1, 2022;\_\_\_\_\_.

**General Authority:** NDCC 28-32-02

**Law Implemented:** NDCC 49-02-01.2

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

**Public Service Commission**  
**Emerging Threats**  
**Rulemaking**

**Case No. PU-23-264**

CHAPTER 69-09-12

RESOURCE PLANS AND ~~CYBERSECURITY~~SECURITY

Section

69-09-12-01 Definitions

69-09-12-02 Resource Plan Procedure

69-09-12-03 Resource Plan Attributes

69-09-12-04 Filing Requirements

69-09-12-05 Security

69-09-12-01. Definitions.

1. "Resource plan" means a set of resource options an electric public utility plans to use to meet

the electric capacity and energy requirements of the utility's customers over a planning horizon, including an explanation of the electric supply and demand circumstances when each resource option would be used to meet the capacity and energy needs in an adequate and reliable manner.

2. "Externality" means numerical costs or quantified values assigned to represent environmental costs that are not internalized in the cost of production, or the market price of electricity from a particular electric resource or the alleged costs of complying with future environmental laws or regulations that have not yet been enacted.

3. "Renewable integration cost" means the cost of measures to help meet the incremental needs of the system as more renewable energy is added to the resource mix.

4. "Unserved energy" means the amount of end-customer demand measured in megawatt-hours that cannot be supplied due to a deficiency of generation either generated or imported by the electric public utility or transmission capacity.

5. "Security" means physical security and cybersecurity.

History: Effective January 1, 2023; amended effective \_\_\_\_\_.

General Authority: NDCC 49-02-04

Law Implemented: NDCC 49-05-04.4, 49-05-17

69-09-12-05. Security.

1. An electric public utility shall meet with the commission annually to report on ~~cybersecurity~~security preparedness.

2. The report must provide:

a. Information on the policies, procedure, and process used to inform the management of ~~cybersecurity~~security risk;

b. Information on any critical technology, constraints related to procurement, supply chain risk, impact of compromise to the supply chain, and controls to manage risk associated with dependency on external entities;

c. An assessment of emerging threats and efforts taken by the electric public utility to implement ~~cybersecurity~~security measures;

d. A description of the process used to support compliance with applicable standards, laws, regulations, and best practices;

e. A description of the policies and protections used to ensure the security of information and operational systems and safeguard against loss of confidential information;

f. Information on activities to monitor, detect, and analyze information related to ~~cybersecurity~~security threats;

g. Information on the systems used for collaboration and communication of information and intelligence sharing;

h. Information on activities used to address a detected ~~cybersecurity~~security incident, contain impacts, limit potential damage, and manage consequences of a ~~cybersecurity~~security incident;

i. Information on any plans to maintain resilience and business continuity, timely recovery to normal operations, and corrective actions after occurrence of an incident;

j. Information or plans for asset sharing with other electric public utilities and electrical cooperatives to maintain services in the event of a security incident;

k. Information on tabletop and field training exercises regarding security;

3. The commission may close the meeting to discuss the cybersecurity report, unless the commission orders otherwise.

History: Effective January 1, 2023: amended effective \_\_\_\_\_.

General Authority: NDCC 49-02-04

Law Implemented: NDCC 49-05-17

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

**Public Service Commission  
Pipeline Safety  
Rulemaking**

**Case No. GS-23-289**

**Public Service Commission  
Emerging Threats  
Rulemaking**

**Case No. PU-23-264**

**NOTICE OF INTENT TO ADOPT AND AMEND ADMINISTRATIVE RULES AND  
NOTICE OF PUBLIC HEARING**

**September 6, 2023**

**PLEASE TAKE NOTICE** that the North Dakota Public Service Commission will hold a public hearing to address proposed amendments to N.D. Admin. Code **69-09-12**, and N.D. Admin. Code **69-09-03**.

**A public hearing** will be held on the proposed rules at **10:30 a.m. Central Time on October 10, 2023, in the Commission Hearing Room, 12th floor, State Capitol, Bismarck, North Dakota**. Written comments may be submitted to the Public Service Commission until the close of business on **October 20, 2022**.

The proposed adoption and revisions to the North Dakota Administrative Code are as follows:

**Case No. GS-23-289 - Section 69-09-03-01 and Section 69-09-03-02 – Pipeline Safety**

The purpose of this amendment is to adopt by reference the most recent amendments to pipeline safety regulations adopted by the United States Department of Transportation, Pipeline and Hazardous Materials Safety Administration (PHMSA). This rule change adopts amendments to safety regulations that have been adopted by PHMSA since December 1, 2021, current to September 6, 2023. The proposed change is not expected to have an impact on the regulated community in excess of \$50,000.

**Case No. PU-23-264 - Section 69-09-12-01 and Section 69-09-12-05 – Resource Plans and Cyber Security**

3 GS-23-289 Filed 09/06/2023 Pages: 2  
(Full) Notice of Intent to Adopt and Amend Administrative Rules and Notice of Public Hearing  
Public Service Commission

3 PU-23-264 Filed 09/06/2023 Pages: 2  
(Full) Notice of Intent to Adopt and Amend Administrative Rules and Notice of Public Hearing  
Public Service Commission

The purpose of this amendment is to change cybersecurity to Security which means physical and cyber security. The proposed change is not expected to have an impact on the regulated community in excess of \$50,000.

The proposed rulemaking implements House Bill 1353 enacted by the 68<sup>th</sup> Legislative Session, relating to Resource Planning and the annual reporting requirements an electric public utility shall report each year to include physical security as well as cyber security.

The proposed rules and amendments may be reviewed at the Public Service Commission's offices on the 12<sup>th</sup> floor of the State Capitol, 600 East Boulevard Ave, Dept. 408, Bismarck, North Dakota. A copy of the proposed rules or amendments and/or a regulatory analysis may be requested by writing the above address, emailing [ndpsc@nd.gov](mailto:ndpsc@nd.gov), or calling 701-328-2400, toll free 1-877-245-6685, Relay North Dakota TTY 1-800-366-6888. This information is also available on the Commission's web site at [www.psc.nd.gov](http://www.psc.nd.gov) under "Formal Actions/Case Search".

Interested persons may attend and submit comments at the hearing. Oral or written comments on the proposed rules may be submitted to the above address, email and phone numbers. Oral and written comments received by the close of business on **October 20, 2023**, will be fully considered.

If you plan to attend the public hearing and will need special facilities or assistance relating to a disability, please notify the Public Service Commission at the above telephone number or address at least 24 hours prior to the public hearing.

**PUBLIC SERVICE COMMISSION**

  
\_\_\_\_\_  
Sheri Haugen-Hoffart  
Commissioner

  
\_\_\_\_\_  
Randy Christmann  
Chair

  
\_\_\_\_\_  
Julie Fedorchak  
Commissioner

## Thompson, Pamela J.

---

**From:** Johnson, Brian L.  
**Sent:** Wednesday, September 13, 2023 9:38 AM  
**To:** Thompson, Pamela J.  
**Subject:** FW: Digital copy of rules submission

---

**From:** Fordahl, Liz <[lfordahl@ndlegis.gov](mailto:lfordahl@ndlegis.gov)>  
**Sent:** Wednesday, September 13, 2023 9:29 AM  
**To:** Johnson, Brian L. <[brljohnson@nd.gov](mailto:brljohnson@nd.gov)>  
**Subject:** RE: Digital copy of rules submission

\*\*\*\*\* **CAUTION:** This email originated from an outside source. Do not click links or open attachments unless you know they are safe. \*\*\*\*\*

Brian,

Good morning. I have received the proposed rules and notice. Our office will post this information to our website.

Thank you,



***Liz Fordahl***

Counsel

State Capitol  
600 East Boulevard Avenue  
Bismarck, ND 58505-0160

701-328-2946  
[lfordahl@ndlegis.gov](mailto:lfordahl@ndlegis.gov)

---

**From:** Seifert, Kayla <[kseifert@ndlegis.gov](mailto:kseifert@ndlegis.gov)>  
**Sent:** Wednesday, September 13, 2023 9:18 AM  
**To:** Fordahl, Liz <[lfordahl@ndlegis.gov](mailto:lfordahl@ndlegis.gov)>  
**Cc:** Thompson, Emily <[ethompson@ndlegis.gov](mailto:ethompson@ndlegis.gov)>  
**Subject:** FW: Digital copy of rules submission

---

**From:** Johnson, Brian L. <[brljohnson@nd.gov](mailto:brljohnson@nd.gov)>  
**Sent:** Wednesday, September 13, 2023 9:16 AM  
**To:** Seifert, Kayla <[kseifert@ndlegis.gov](mailto:kseifert@ndlegis.gov)>  
**Subject:** Digital copy of rules submission

Here is the digital copy of the initial rules submission.

Thanks,

7 GS-23-289 Filed 09/13/2023 Pages: 10  
Emails To and From Legislative Council  
Public Service Commission

7 PU-23-264 Filed 09/13/2023 Pages: 10  
Emails To and From Legislative Council  
Public Service Commission

Brian Johnson  
Special Assistant Attorney General  
**NORTH DAKOTA PUBLIC SERVICE COMMISSION**

600 E Boulevard Ave. Dept 408 | Bismarck, ND 58505-0480  
p: 701-328-2407 | <https://www.psc.nd.gov>

---

This transmission, email and any files transmitted with it, may be: (1) subject to the Attorney-Client Privilege, (2) an attorney work product, or (3) strictly confidential under federal or state law. If you are not the intended recipient of this message, you may not use, disclose, print, copy or disseminate this information. If you have received this transmission in error, notify the sender (only) and delete the message. This message may also be subject to disclosure under the North Dakota Open Records Laws.



# Public Service Commission

## State of North Dakota

---

### COMMISSIONERS

Randy Christmann  
Sheri Haugen-Hoffart  
Julie Fedorchak

600 East Boulevard, Dept. 408  
Bismarck, North Dakota 58505-0480  
Web: [www.psc.nd.gov](http://www.psc.nd.gov)  
E-mail: [ndpsc@nd.gov](mailto:ndpsc@nd.gov)  
Phone: 701-328-2400  
ND Toll Free: 1-877-245-6685  
Fax: 701-328-2410  
TDD: 800-366-6888 or 711

September 13, 2023

Ms. Liz Fordahl  
Assistant Code Revisor  
North Dakota Legislative Council  
State Capitol  
600 East Boulevard, 2nd Floor  
Bismarck, ND 58505-0360

Dear Ms. Fordahl:

The Notice of Intent to **Amend** Administrative Rules 69-09-03, and 69-09-12 and a copy of the proposed rules are enclosed as required by N.D.C.C. § 28-32-10(1).

Sincerely,

A handwritten signature in blue ink, appearing to read "BJ", written over a horizontal line.

Brian Johnson  
Special Assistant Attorney General Bar ID 07937  
North Dakota Public Service Commission  
600 East Boulevard Avenue Dept. 408  
Bismarck ND, 58505  
701-328-2407

Enclosures

**APPROVED**  
DATE: 09/06/2023  
DJT

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Public Service Commission  
Pipeline Safety  
Rulemaking

Case No. GS-23-289

Public Service Commission  
Emerging Threats  
Rulemaking

Case No. PU-23-264

**MOTION**

**September 6, 2023**

I move the Commission propose to adopt and amend the North Dakota Administrative Code as attached, issue a Notice of Intent to Amend Administrative Rules and Notice of Public Hearing, and issue an abbreviated Notice of Intent to Amend Administrative Rules and Notice of Public Hearing for publication in each official county newspaper throughout the state as required by law, in Public Service Commission, Pipeline Safety, Rulemaking, Case No. GS-23-289, and Public Service Commission, Emerging Threats, Rulemaking, Case No. PU-23-264.

Section 69-09-03  
Section 69-09-12

- 1 GS-23-289 Filed 09/06/2023 Pages: 1  
Commission Motion to Propose Revisions to ND Admin. Code and Issue Notices  
Public Service Commission
- 1 PU-23-264 Filed 09/06/2023 Pages: 1  
Commission Motion to Propose Revisions to ND Admin. Code and Issue Notices  
Public Service Commission

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

**Public Service Commission**  
**Pipeline Safety**  
**Rulemaking**

**Case No. GS-23-289**

**CHAPTER 69-09-03**  
**PIPELINE SAFETY**

Section  
69-09-03-01 Safety  
69-09-03-02 Adoption of Regulations

**69-09-03-01. Safety.**

Pipeline facilities used for the intrastate distribution and transmission of natural and other gas, liquefied natural gas, or hazardous liquids shall be designed, constructed, and operated to meet the safety standards set forth in regulations of the United States department of transportation adopted in section 69-09-03-02. The commission may require such proof of compliance as it deems necessary.

**History:** Amended effective July 1, 1986; January 1, 1988; April 1, 2015;\_\_\_\_\_.

**General Authority:** NDCC 28-32-02, 49-02-04

**Law Implemented:** NDCC 49-02-01.2, 49-02-04

**69-09-03-02. Adoption of regulations.**

The following parts of title 49, Code of Federal Regulations in effect as of ~~December 1, 2021~~ September 6, 2023, are adopted by reference:

1. Part 190 - Pipeline Safety Programs and Rulemaking Procedures.
2. Part 191 - Transportation of Natural Gas and Other Gas by Pipeline, Annual Reports, Incident Reports, and Safety-Related Condition Reports.
3. Part 192 - Transportation of Natural and Other Gas by Pipeline: Minimum Federal Safety Standards.
4. Part 193 - Liquefied Natural Gas Facilities: Federal Safety Standards.
5. Part 194 - Response Plans for Onshore Oil Pipelines.
6. Part 195 - Transportation of Hazardous Liquids by Pipeline.

7. Part 199 - Drug and Alcohol Testing.

Copies of these regulations may be obtained from:

Public Service Commission  
600 East Boulevard, Dept. 408  
Bismarck, ND 58505-0480

**History:** Effective June 1, 1984; amended effective July 1, 1986; January 1, 1988; March 1, 1990; February 1, 1992; August 1, 1993; August 1, 1994; February 1, 1996; July 1, 1997; July 1, 1998; September 1, 1999; August 1, 2000; January 1, 2002; November 1, 2003; May 1, 2005; July 1, 2006; April 1, 2008; January 1, 2010; April 1, 2012; April 1, 2015; October 1, 2016; July 1, 2018; July 1, 2020; January 1, 2021; October 1, 2022;\_\_\_\_\_.

**General Authority:** NDCC 28-32-02

**Law Implemented:** NDCC 49-02-01.2

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

**Public Service Commission**  
**Emerging Threats**  
**Rulemaking**

**Case No. PU-23-264**

CHAPTER 69-09-12

RESOURCE PLANS AND ~~CYBERSECURITY~~SECURITY

Section

69-09-12-01 Definitions

69-09-12-02 Resource Plan Procedure

69-09-12-03 Resource Plan Attributes

69-09-12-04 Filing Requirements

69-09-12-05 Security

69-09-12-01. Definitions.

1. "Resource plan" means a set of resource options an electric public utility plans to use to meet

the electric capacity and energy requirements of the utility's customers over a planning horizon, including an explanation of the electric supply and demand circumstances when each resource option would be used to meet the capacity and energy needs in an adequate and reliable manner.

2. "Externality" means numerical costs or quantified values assigned to represent environmental costs that are not internalized in the cost of production, or the market price of electricity from a particular electric resource or the alleged costs of complying with future environmental laws or regulations that have not yet been enacted.

3. "Renewable integration cost" means the cost of measures to help meet the incremental needs of the system as more renewable energy is added to the resource mix.

4. "Unserved energy" means the amount of end-customer demand measured in megawatt-hours that cannot be supplied due to a deficiency of generation either generated or imported by the electric public utility or transmission capacity.

5. "Security" means physical security and cybersecurity.

History: Effective January 1, 2023; amended effective \_\_\_\_\_.

General Authority: NDCC 49-02-04

Law Implemented: NDCC 49-05-04.4, 49-05-17

69-09-12-05. Security.

1. An electric public utility shall meet with the commission annually to report on ~~cybersecurity~~security preparedness.

2. The report must provide:

a. Information on the policies, procedure, and process used to inform the management of ~~cybersecurity~~security risk;

b. Information on any critical technology, constraints related to procurement, supply chain risk, impact of compromise to the supply chain, and controls to manage risk associated with dependency on external entities;

c. An assessment of emerging threats and efforts taken by the electric public utility to implement ~~cybersecurity~~security measures;

d. A description of the process used to support compliance with applicable standards, laws, regulations, and best practices;

e. A description of the policies and protections used to ensure the security of information and operational systems and safeguard against loss of confidential information;

f. Information on activities to monitor, detect, and analyze information related to ~~cybersecurity~~security threats;

g. Information on the systems used for collaboration and communication of information and intelligence sharing;

h. Information on activities used to address a detected ~~cybersecurity~~security incident, contain impacts, limit potential damage, and manage consequences of a ~~cybersecurity~~security incident;

i. Information on any plans to maintain resilience and business continuity, timely recovery to normal operations, and corrective actions after occurrence of an incident;

j. Information or plans for asset sharing with other electric public utilities and electrical cooperatives to maintain services in the event of a security incident;

k. Information on tabletop and field training exercises regarding security;

3. The commission may close the meeting to discuss the cybersecurity report, unless the commission orders otherwise.

History: Effective January 1, 2023: amended effective \_\_\_\_\_.

General Authority: NDCC 49-02-04

Law Implemented: NDCC 49-05-17

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

**Public Service Commission  
Pipeline Safety  
Rulemaking**

**Case No. GS-23-289**

**Public Service Commission  
Emerging Threats  
Rulemaking**

**Case No. PU-23-264**

**NOTICE OF INTENT TO ADOPT AND AMEND ADMINISTRATIVE RULES AND  
NOTICE OF PUBLIC HEARING**

**September 6, 2023**

**PLEASE TAKE NOTICE** that the North Dakota Public Service Commission will hold a public hearing to address proposed amendments to N.D. Admin. Code **69-09-12**, and N.D. Admin. Code **69-09-03**.

**A public hearing** will be held on the proposed rules at **10:30 a.m. Central Time on October 10, 2023, in the Commission Hearing Room, 12th floor, State Capitol, Bismarck, North Dakota**. Written comments may be submitted to the Public Service Commission until the close of business on **October 20, 2022**.

The proposed adoption and revisions to the North Dakota Administrative Code are as follows:

**Case No. GS-23-289 - Section 69-09-03-01 and Section 69-09-03-02 – Pipeline Safety**

The purpose of this amendment is to adopt by reference the most recent amendments to pipeline safety regulations adopted by the United States Department of Transportation, Pipeline and Hazardous Materials Safety Administration (PHMSA). This rule change adopts amendments to safety regulations that have been adopted by PHMSA since December 1, 2021, current to September 6, 2023. The proposed change is not expected to have an impact on the regulated community in excess of \$50,000.

**Case No. PU-23-264 - Section 69-09-12-01 and Section 69-09-12-05 – Resource Plans and Cyber Security**

3 GS-23-289 Filed 09/06/2023 Pages: 2  
(Full) Notice of Intent to Adopt and Amend Administrative Rules and Notice of Public Hearing  
Public Service Commission

3 PU-23-264 Filed 09/06/2023 Pages: 2  
(Full) Notice of Intent to Adopt and Amend Administrative Rules and Notice of Public Hearing  
Public Service Commission

The purpose of this amendment is to change cybersecurity to Security which means physical and cyber security. The proposed change is not expected to have an impact on the regulated community in excess of \$50,000.

The proposed rulemaking implements House Bill 1353 enacted by the 68<sup>th</sup> Legislative Session, relating to Resource Planning and the annual reporting requirements an electric public utility shall report each year to include physical security as well as cyber security.

The proposed rules and amendments may be reviewed at the Public Service Commission's offices on the 12<sup>th</sup> floor of the State Capitol, 600 East Boulevard Ave, Dept. 408, Bismarck, North Dakota. A copy of the proposed rules or amendments and/or a regulatory analysis may be requested by writing the above address, emailing [ndpsc@nd.gov](mailto:ndpsc@nd.gov), or calling 701-328-2400, toll free 1-877-245-6685, Relay North Dakota TTY 1-800-366-6888. This information is also available on the Commission's web site at [www.psc.nd.gov](http://www.psc.nd.gov) under "Formal Actions/Case Search".

Interested persons may attend and submit comments at the hearing. Oral or written comments on the proposed rules may be submitted to the above address, email and phone numbers. Oral and written comments received by the close of business on **October 20, 2023**, will be fully considered.

If you plan to attend the public hearing and will need special facilities or assistance relating to a disability, please notify the Public Service Commission at the above telephone number or address at least 24 hours prior to the public hearing.

**PUBLIC SERVICE COMMISSION**

  
\_\_\_\_\_  
Sheri Haugen-Hoffart  
Commissioner

  
\_\_\_\_\_  
Randy Christmann  
Chair

  
\_\_\_\_\_  
Julie Fedorchak  
Commissioner



# Affidavit of Publication

Liz Prather, being duly sworn, states as follows:

1. I am the designated agent, under the provisions and for the purposes of, Section 31-04-06, NDCC, for the newspapers listed on the attached exhibits.

2. The newspapers listed on the exhibits published the advertisement of: **Public Service Commission – PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend, 1** time(s) as required by law or ordinance.

3. All of the listed newspapers are legal newspapers in the State of North Dakota and, under the provisions of Section 46-05-01, NDCC, are qualified to publish any public notice or any matter required by law or ordinance to be printed or published in a newspaper in North Dakota.

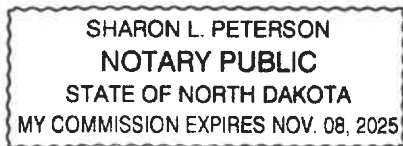
Signed: Liz Prather

State of North Dakota

County of Burleigh

Subscribed and sworn to before me this 6<sup>th</sup> day of October, 2023.

Sharon L. Peterson



13 PU-23-264 Filed 10/10/2023 Pages: 54  
Affidavit of Publication with Tear Sheets  
North Dakota Newspaper Association (NDNA)

14 GS-23-289 Filed 10/10/2023 Pages: 54  
Affidavit of Publication with Tear Sheets  
North Dakota Newspaper Association (NDNA)

# North Dakota Newspaper Association

1435 Interstate Loop  
 Bismarck, North Dakota 58503  
 Phone: 1-701-223-6397 Fax: 1-701-223-8185

## INVOICE

October 10, 2023

Order: **23093PP0**

Invoice# **13675**

<b>Attn: Public Service Commission Contact</b>	
<b>Public Service Commission</b>	
<b>600 E. Blvd Ave. Dept 408</b>	
<b>Bismarck, North Dakota 58505</b>	
Voice: 1-701-328-4076	Fax:

Advertiser: **Public Service Commission**

Brand:

Campaign

Client Order Number:

Amount Due: \$4,810.68

*Please detach and return this portion with your payment*

Public Service Commission Invoice# 13675 P.O.#: Client Order Number:

Run Date	Ad Size	Rate Type	Rate	Color Rate	Total	Discount	(%)	Amount after Discount	Page
<b>Ashley Tribune (Ashley, North Dakota)</b>									
09/13/2023	12.00	Notice Display	\$6.98		\$83.76	\$0.00	(0.00%)	\$83.76	_____
<b>Caption:</b> PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend									
<b>Subtotal:</b>	<b>12.00</b>		<b>\$6.98</b>	<b>\$0.00</b>	<b>\$83.76</b>	<b>\$0.00</b>		<b>\$83.76</b>	
<b>Beach, Golden Valley News (Beach, North Dakota)</b>									
09/14/2023	12.00	Notice Display	\$6.98		\$83.76	\$0.00	(0.00%)	\$83.76	_____
<b>Caption:</b> PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend									
<b>Subtotal:</b>	<b>12.00</b>		<b>\$6.98</b>	<b>\$0.00</b>	<b>\$83.76</b>	<b>\$0.00</b>		<b>\$83.76</b>	
<b>Bismarck Tribune (Bismarck, North Dakota)</b>									
09/13/2023	12.00	Notice Display	\$14.24		\$170.88	\$0.00	(0.00%)	\$170.88	_____
<b>Caption:</b> PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend									
<b>Subtotal:</b>	<b>12.00</b>		<b>\$14.24</b>	<b>\$0.00</b>	<b>\$170.88</b>	<b>\$0.00</b>		<b>\$170.88</b>	
<b>Bottineau Courant (Bottineau, North Dakota)</b>									
09/12/2023	12.00	Notice Display	\$6.98		\$83.76	\$0.00	(0.00%)	\$83.76	_____
<b>Caption:</b> PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend									
<b>Subtotal:</b>	<b>12.00</b>		<b>\$6.98</b>	<b>\$0.00</b>	<b>\$83.76</b>	<b>\$0.00</b>		<b>\$83.76</b>	
<b>Bowbells, Burke County Tribune (Bowbells, North Dakota)</b>									
09/13/2023	12.00	Notice Display	\$6.98		\$83.76	\$0.00	(0.00%)	\$83.76	_____
<b>Caption:</b> PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend									
<b>Subtotal:</b>	<b>12.00</b>		<b>\$6.98</b>	<b>\$0.00</b>	<b>\$83.76</b>	<b>\$0.00</b>		<b>\$83.76</b>	
<b>Bowman County Pioneer (Bowman, North Dakota)</b>									
09/15/2023	12.00	Notice Display	\$6.98		\$83.76	\$0.00	(0.00%)	\$83.76	_____
<b>Caption:</b> PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend									
<b>Subtotal:</b>	<b>12.00</b>		<b>\$6.98</b>	<b>\$0.00</b>	<b>\$83.76</b>	<b>\$0.00</b>		<b>\$83.76</b>	
<b>Cando, Towner County Record Herald (Cando, North Dakota)</b>									
09/16/2023	12.00	Notice Display	\$6.98		\$83.76	\$0.00	(0.00%)	\$83.76	_____
<b>Caption:</b> PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend									
<b>Subtotal:</b>	<b>12.00</b>		<b>\$6.98</b>	<b>\$0.00</b>	<b>\$83.76</b>	<b>\$0.00</b>		<b>\$83.76</b>	
<b>Carrington, Foster County Independent (Carrington, North Dakota)</b>									
09/11/2023	12.00	Notice Display	\$0.00		CANCELLED	\$0.00	(0.00%)	\$0.00	_____
<b>Caption:</b> PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend									
09/18/2023	12.00	Notice Display	\$6.98		\$83.76	\$0.00	(0.00%)	\$83.76	_____

Run Date	Ad Size	Rate Type	Rate	Color Rate	Total	Discount	(%)	Amount after Discount	Page
<b>Caption:</b> PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend									
<b>Subtotal:</b>	<b>24.00</b>		<b>\$6.98</b>	<b>\$0.00</b>	<b>\$83.76</b>	<b>\$0.00</b>		<b>\$83.76</b>	
<b>Carson Press (Elgin, North Dakota)</b>									
09/14/2023	12.00	Notice Display	\$6.98		\$83.76	\$0.00	(0.00%)	\$83.76	
<b>Caption:</b> PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend									
<b>Subtotal:</b>	<b>12.00</b>		<b>\$6.98</b>	<b>\$0.00</b>	<b>\$83.76</b>	<b>\$0.00</b>		<b>\$83.76</b>	
<b>Cavalier Chronicle (Cavalier, North Dakota)</b>									
09/13/2023	12.00	Notice Display	\$6.98		\$83.76	\$0.00	(0.00%)	\$83.76	
<b>Caption:</b> PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend									
<b>Subtotal:</b>	<b>12.00</b>		<b>\$6.98</b>	<b>\$0.00</b>	<b>\$83.76</b>	<b>\$0.00</b>		<b>\$83.76</b>	
<b>Center Republican (Hazen, North Dakota)</b>									
09/14/2023	12.00	Notice Display	\$0.00		DID NOT RUN	\$0.00	(0.00%)	\$0.00	
<b>Caption:</b> PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend									
09/21/2023	12.00	Notice Display	\$0.00		DID NOT RUN	\$0.00	(0.00%)	\$0.00	
<b>Caption:</b> PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend									
09/28/2023	12.00	Notice Display	\$6.98		\$83.76	\$0.00	(0.00%)	\$83.76	
<b>Caption:</b> PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend									
<b>Subtotal:</b>	<b>36.00</b>		<b>\$6.98</b>	<b>\$0.00</b>	<b>\$83.76</b>	<b>\$0.00</b>		<b>\$83.76</b>	
<b>Cooperstown, Griggs County Courier (Cooperstown, North Dakota)</b>									
09/15/2023	12.00	Notice Display	\$6.98		\$83.76	\$0.00	(0.00%)	\$83.76	
<b>Caption:</b> PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend									
<b>Subtotal:</b>	<b>12.00</b>		<b>\$6.98</b>	<b>\$0.00</b>	<b>\$83.76</b>	<b>\$0.00</b>		<b>\$83.76</b>	
<b>Crosby, The Journal (Crosby, North Dakota)</b>									
09/13/2023	12.00	Notice Display	\$6.98		\$83.76	\$0.00	(0.00%)	\$83.76	
<b>Caption:</b> PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend									
<b>Subtotal:</b>	<b>12.00</b>		<b>\$6.98</b>	<b>\$0.00</b>	<b>\$83.76</b>	<b>\$0.00</b>		<b>\$83.76</b>	
<b>Devils Lake Journal (Devils Lake, North Dakota)</b>									
09/12/2023	12.00	Notice Display	\$9.67		\$116.04	\$0.00	(0.00%)	\$116.04	
<b>Caption:</b> PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend									
09/19/2023	12.00	Notice Display	\$9.67		\$116.04	\$0.00	(0.00%)	\$116.04	
<b>Caption:</b> PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend									
<b>Subtotal:</b>	<b>24.00</b>		<b>\$19.34</b>	<b>\$0.00</b>	<b>\$232.08</b>	<b>\$0.00</b>		<b>\$232.08</b>	
<b>Dickinson Press (Dickinson, North Dakota)</b>									
09/13/2023	12.00	Notice Display	\$6.98		\$83.76	\$0.00	(0.00%)	\$83.76	
<b>Caption:</b> PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend									
<b>Subtotal:</b>	<b>12.00</b>		<b>\$6.98</b>	<b>\$0.00</b>	<b>\$83.76</b>	<b>\$0.00</b>		<b>\$83.76</b>	
<b>Elgin, Grant County News (Elgin, North Dakota)</b>									
09/14/2023	12.00	Notice Display	\$6.98		\$83.76	\$0.00	(0.00%)	\$83.76	
<b>Caption:</b> PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend									
<b>Subtotal:</b>	<b>12.00</b>		<b>\$6.98</b>	<b>\$0.00</b>	<b>\$83.76</b>	<b>\$0.00</b>		<b>\$83.76</b>	
<b>Ellendale, Dickey County Leader (Ellendale, North Dakota)</b>									
09/14/2023	12.00	Notice Display	\$6.98		\$83.76	\$0.00	(0.00%)	\$83.76	
<b>Caption:</b> PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend									
<b>Subtotal:</b>	<b>12.00</b>		<b>\$6.98</b>	<b>\$0.00</b>	<b>\$83.76</b>	<b>\$0.00</b>		<b>\$83.76</b>	
<b>Fargo, The Forum (Fargo, North Dakota)</b>									
09/13/2023	12.00	Notice Display	\$14.24		\$170.88	\$0.00	(0.00%)	\$170.88	
<b>Caption:</b> PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend									
<b>Subtotal:</b>	<b>12.00</b>		<b>\$14.24</b>	<b>\$0.00</b>	<b>\$170.88</b>	<b>\$0.00</b>		<b>\$170.88</b>	
<b>Finley, Steele County Press (Finley, North Dakota)</b>									
09/15/2023	12.00	Notice Display	\$6.98		\$83.76	\$0.00	(0.00%)	\$83.76	
<b>Caption:</b> PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend									

Run Date	Ad Size	Rate Type	Rate	Color Rate	Total	Discount	(%)	Amount after Discount	Page
<b>Subtotal:</b>			<b>12.00</b>	<b>\$6.98</b>	<b>\$0.00</b>	<b>\$83.76</b>	<b>\$0.00</b>	<b>\$83.76</b>	
<b>Garrison, McLean County Independent (Garrison, North Dakota)</b>									
09/14/2023	12.00	Notice Display	\$6.98		\$83.76	\$0.00	(0.00%)	\$83.76	
Caption: PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend									
<b>Subtotal:</b>			<b>12.00</b>	<b>\$6.98</b>	<b>\$0.00</b>	<b>\$83.76</b>	<b>\$0.00</b>	<b>\$83.76</b>	
<b>Grafton, Walsh County Record (Grafton, North Dakota)</b>									
09/13/2023	12.00	Notice Display	\$6.71		\$80.52	\$0.00	(0.00%)	\$80.52	
Caption: PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend									
<b>Subtotal:</b>			<b>12.00</b>	<b>\$6.71</b>	<b>\$0.00</b>	<b>\$80.52</b>	<b>\$0.00</b>	<b>\$80.52</b>	
<b>Grand Forks Herald (Grand Forks, North Dakota)</b>									
09/13/2023	12.00	Notice Display	\$14.24		\$170.88	\$0.00	(0.00%)	\$170.88	
Caption: PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend									
<b>Subtotal:</b>			<b>12.00</b>	<b>\$14.24</b>	<b>\$0.00</b>	<b>\$170.88</b>	<b>\$0.00</b>	<b>\$170.88</b>	
<b>Harvey, The Herald-Press (Harvey, North Dakota)</b>									
09/16/2023	12.00	Notice Display	\$6.98		\$83.76	\$0.00	(0.00%)	\$83.76	
Caption: PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend									
<b>Subtotal:</b>			<b>12.00</b>	<b>\$6.98</b>	<b>\$0.00</b>	<b>\$83.76</b>	<b>\$0.00</b>	<b>\$83.76</b>	
<b>Hazen Star (Hazen, North Dakota)</b>									
09/14/2023	12.00	Notice Display	\$6.98		\$83.76	\$0.00	(0.00%)	\$83.76	
Caption: PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend									
<b>Subtotal:</b>			<b>12.00</b>	<b>\$6.98</b>	<b>\$0.00</b>	<b>\$83.76</b>	<b>\$0.00</b>	<b>\$83.76</b>	
<b>Hettinger, Adams County Record (Hettinger, North Dakota)</b>									
09/14/2023	12.00	Notice Display	\$6.98		\$83.76	\$0.00	(0.00%)	\$83.76	
Caption: PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend									
<b>Subtotal:</b>			<b>12.00</b>	<b>\$6.98</b>	<b>\$0.00</b>	<b>\$83.76</b>	<b>\$0.00</b>	<b>\$83.76</b>	
<b>Hillsboro Banner (Hillsboro, North Dakota)</b>									
09/15/2023	12.00	Notice Display	\$6.98		\$83.76	\$0.00	(0.00%)	\$83.76	
Caption: PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend									
<b>Subtotal:</b>			<b>12.00</b>	<b>\$6.98</b>	<b>\$0.00</b>	<b>\$83.76</b>	<b>\$0.00</b>	<b>\$83.76</b>	
<b>Jamestown Sun (Jamestown, North Dakota)</b>									
09/13/2023	12.00	Notice Display	\$9.67		\$116.04	\$0.00	(0.00%)	\$116.04	
Caption: PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend									
<b>Subtotal:</b>			<b>12.00</b>	<b>\$9.67</b>	<b>\$0.00</b>	<b>\$116.04</b>	<b>\$0.00</b>	<b>\$116.04</b>	
<b>LaMoure Chronicle (LaMoure, North Dakota)</b>									
09/13/2023	12.00	Notice Display	\$6.98		\$83.76	\$0.00	(0.00%)	\$83.76	
Caption: PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend									
<b>Subtotal:</b>			<b>12.00</b>	<b>\$6.98</b>	<b>\$0.00</b>	<b>\$83.76</b>	<b>\$0.00</b>	<b>\$83.76</b>	
<b>Lakota American (Lakota, North Dakota)</b>									
09/14/2023	12.00	Notice Display	\$6.98		\$83.76	\$0.00	(0.00%)	\$83.76	
Caption: PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend									
<b>Subtotal:</b>			<b>12.00</b>	<b>\$6.98</b>	<b>\$0.00</b>	<b>\$83.76</b>	<b>\$0.00</b>	<b>\$83.76</b>	
<b>Linton, Emmons County Record (Linton, North Dakota)</b>									
09/14/2023	12.00	Notice Display	\$6.98		\$83.76	\$0.00	(0.00%)	\$83.76	
Caption: PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend									
<b>Subtotal:</b>			<b>12.00</b>	<b>\$6.98</b>	<b>\$0.00</b>	<b>\$83.76</b>	<b>\$0.00</b>	<b>\$83.76</b>	
<b>Lisbon, Ransom County Gazette (Lisbon, North Dakota)</b>									
09/11/2023	12.00	Notice Display	\$6.98		\$83.76	\$0.00	(0.00%)	\$83.76	
Caption: PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend									
<b>Subtotal:</b>			<b>12.00</b>	<b>\$6.98</b>	<b>\$0.00</b>	<b>\$83.76</b>	<b>\$0.00</b>	<b>\$83.76</b>	
<b>Mandan News (Mandan, North Dakota)</b>									
09/15/2023	12.00	Notice Display	\$6.98		\$83.76	\$0.00	(0.00%)	\$83.76	

Run Date	Ad Size	Rate Type	Rate	Color Rate	Total	Discount	(%)	Amount after Discount	Page
<b>Caption: PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend</b>									
<b>Subtotal:</b>	<b>12.00</b>		<b>\$6.98</b>	<b>\$0.00</b>	<b>\$83.76</b>	<b>\$0.00</b>		<b>\$83.76</b>	
<b>McClusky Gazette (McClusky, North Dakota)</b>									
09/14/2023	12.00	Notice Display	\$6.98		\$83.76	\$0.00	(0.00%)	\$83.76	
<b>Caption: PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend</b>									
<b>Subtotal:</b>	<b>12.00</b>		<b>\$6.98</b>	<b>\$0.00</b>	<b>\$83.76</b>	<b>\$0.00</b>		<b>\$83.76</b>	
<b>Medora, Billings County Pioneer (Beach, North Dakota)</b>									
09/14/2023	12.00	Notice Display	\$6.98		\$83.76	\$0.00	(0.00%)	\$83.76	
<b>Caption: PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend</b>									
<b>Subtotal:</b>	<b>12.00</b>		<b>\$6.98</b>	<b>\$0.00</b>	<b>\$83.76</b>	<b>\$0.00</b>		<b>\$83.76</b>	
<b>Milnor, The Sargent County Teller (Milnor, North Dakota)</b>									
09/15/2023	12.00	Notice Display	\$6.98		\$83.76	\$0.00	(0.00%)	\$83.76	
<b>Caption: PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend</b>									
<b>Subtotal:</b>	<b>12.00</b>		<b>\$6.98</b>	<b>\$0.00</b>	<b>\$83.76</b>	<b>\$0.00</b>		<b>\$83.76</b>	
<b>Minnewaukan Benson County Farmers Press (Minnewaukan, North Dakota)</b>									
09/14/2023	12.00	Notice Display	\$6.98		\$83.76	\$0.00	(0.00%)	\$83.76	
<b>Caption: PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend</b>									
<b>Subtotal:</b>	<b>12.00</b>		<b>\$6.98</b>	<b>\$0.00</b>	<b>\$83.76</b>	<b>\$0.00</b>		<b>\$83.76</b>	
<b>Minot Daily News (Minot, North Dakota)</b>									
09/11/2023	12.00	Notice Display	\$14.24		\$170.88	\$0.00	(0.00%)	\$170.88	
<b>Caption: PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend</b>									
<b>Subtotal:</b>	<b>12.00</b>		<b>\$14.24</b>	<b>\$0.00</b>	<b>\$170.88</b>	<b>\$0.00</b>		<b>\$170.88</b>	
<b>Mohall Renville County Farmer (Mohall, North Dakota)</b>									
09/13/2023	12.00	Notice Display	\$6.98		\$83.76	\$0.00	(0.00%)	\$83.76	
<b>Caption: PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend</b>									
<b>Subtotal:</b>	<b>12.00</b>		<b>\$6.98</b>	<b>\$0.00</b>	<b>\$83.76</b>	<b>\$0.00</b>		<b>\$83.76</b>	
<b>Napoleon Homestead (Napoleon, North Dakota)</b>									
09/13/2023	12.00	Notice Display	\$6.98		\$83.76	\$0.00	(0.00%)	\$83.76	
<b>Caption: PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend</b>									
<b>Subtotal:</b>	<b>12.00</b>		<b>\$6.98</b>	<b>\$0.00</b>	<b>\$83.76</b>	<b>\$0.00</b>		<b>\$83.76</b>	
<b>New England, Hettinger County Herald (New England, North Dakota)</b>									
09/14/2023	12.00	Notice Display	\$6.98		\$83.76	\$0.00	(0.00%)	\$83.76	
<b>Caption: PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend</b>									
<b>Subtotal:</b>	<b>12.00</b>		<b>\$6.98</b>	<b>\$0.00</b>	<b>\$83.76</b>	<b>\$0.00</b>		<b>\$83.76</b>	
<b>New Rockford Transcript (New Rockford, North Dakota)</b>									
09/11/2023	12.00	Notice Display	\$6.98		\$83.76	\$0.00	(0.00%)	\$83.76	
<b>Caption: PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend</b>									
<b>Subtotal:</b>	<b>12.00</b>		<b>\$6.98</b>	<b>\$0.00</b>	<b>\$83.76</b>	<b>\$0.00</b>		<b>\$83.76</b>	
<b>Rolla Turtle Mountain Star (Rolla, North Dakota)</b>									
09/11/2023	12.00	Notice Display	\$6.98		\$83.76	\$0.00	(0.00%)	\$83.76	
<b>Caption: PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend</b>									
<b>Subtotal:</b>	<b>12.00</b>		<b>\$6.98</b>	<b>\$0.00</b>	<b>\$83.76</b>	<b>\$0.00</b>		<b>\$83.76</b>	
<b>Rugby Pierce County Tribune (Rugby, North Dakota)</b>									
09/16/2023	12.00	Notice Display	\$6.98		\$83.76	\$0.00	(0.00%)	\$83.76	
<b>Caption: PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend</b>									
<b>Subtotal:</b>	<b>12.00</b>		<b>\$6.98</b>	<b>\$0.00</b>	<b>\$83.76</b>	<b>\$0.00</b>		<b>\$83.76</b>	
<b>Stanley Mountrail County Promoter (Stanley, North Dakota)</b>									
09/13/2023	12.00	Notice Display	\$6.98		\$83.76	\$0.00	(0.00%)	\$83.76	
<b>Caption: PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend</b>									
<b>Subtotal:</b>	<b>12.00</b>		<b>\$6.98</b>	<b>\$0.00</b>	<b>\$83.76</b>	<b>\$0.00</b>		<b>\$83.76</b>	
<b>Steele Ozone &amp; Kidder County Press (Steele, North Dakota)</b>									

Run Date	Ad Size	Rate Type	Rate	Color Rate	Total	Discount	(%)	Amount after Discount	Page
09/13/2023	12.00	Notice Display	\$6.98		\$83.76	\$0.00	(0.00%)	\$83.76	
<b>Caption:</b> PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend									
<b>Subtotal:</b>	<b>12.00</b>		<b>\$6.98</b>	<b>\$0.00</b>	<b>\$83.76</b>	<b>\$0.00</b>		<b>\$83.76</b>	
<b>Towner Mouse River Journal (Towner, North Dakota)</b>									
09/13/2023	12.00	Notice Display	\$6.98		\$83.76	\$0.00	(0.00%)	\$83.76	
<b>Caption:</b> PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend									
<b>Subtotal:</b>	<b>12.00</b>		<b>\$6.98</b>	<b>\$0.00</b>	<b>\$83.76</b>	<b>\$0.00</b>		<b>\$83.76</b>	
<b>Valley City Times-Record (Valley City, North Dakota)</b>									
09/12/2023	12.00	Notice Display	\$9.67		\$116.04	\$0.00	(0.00%)	\$116.04	
<b>Caption:</b> PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend									
<b>Subtotal:</b>	<b>12.00</b>		<b>\$9.67</b>	<b>\$0.00</b>	<b>\$116.04</b>	<b>\$0.00</b>		<b>\$116.04</b>	
<b>Wahpeton, Daily News (Wahpeton, North Dakota)</b>									
09/12/2023	12.00	Notice Display	\$9.67		\$116.04	\$0.00	(0.00%)	\$116.04	
<b>Caption:</b> PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend									
<b>Subtotal:</b>	<b>12.00</b>		<b>\$9.67</b>	<b>\$0.00</b>	<b>\$116.04</b>	<b>\$0.00</b>		<b>\$116.04</b>	
<b>Watford City, McKenzie County Farmer (Watford City, North Dakota)</b>									
09/13/2023	12.00	Notice Display	\$6.98		\$83.76	\$0.00	(0.00%)	\$83.76	
<b>Caption:</b> PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend									
<b>Subtotal:</b>	<b>12.00</b>		<b>\$6.98</b>	<b>\$0.00</b>	<b>\$83.76</b>	<b>\$0.00</b>		<b>\$83.76</b>	
<b>Williston Herald (Williston, North Dakota)</b>									
09/13/2023	12.00	Notice Display	\$0.00		DID NOT RUN	\$0.00	(0.00%)	\$0.00	
<b>Caption:</b> PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend									
09/22/2023	12.00	Notice Display	\$9.67		\$116.04	\$0.00	(0.00%)	\$116.04	
<b>Caption:</b> PSC Pipeline Safety, Case No. GS-23-289, Notice of Intent to Adopt and Amend									
<b>Subtotal:</b>	<b>24.00</b>		<b>\$9.67</b>	<b>\$0.00</b>	<b>\$116.04</b>	<b>\$0.00</b>		<b>\$116.04</b>	

Gross Advertising	\$4,810.68	Total Misc	\$0.00	Amount Paid	\$0.00
Agency Discount	\$0.00	Tax	\$0.00	Adjustments	\$0.00
Other Discount	\$0.00	Total Billed	\$4,810.68	Payment Date	
Service Charge	\$0.00	Unbilled	\$0.00	Balance Due	\$4,810.68

If you'd like to pay your invoice online, go to [www.ndna.com/billpay](http://www.ndna.com/billpay). We accept Visa/Mastercard. A 3% fee will automatically be added to your total. We also accept checks and ACH, with no additional fee added. Contact [accounting@ndna.com](mailto:accounting@ndna.com) for ACH information. Thank you!

## Dickey Rural Telephone Cooperative seeking capital credit recipients

Listed below are the names of current or former members of Dickey Rural Telephone Cooperative who had capital credit checks mailed to them more than six years prior to June 13, 2023. These checks have been returned to Dickey Rural Telephone Cooperative (DRN) or have not been cashed. A further search by DRN personnel has not turned up the intended recipient's whereabouts. If you received telephone or other service from Dickey Rural Telephone Cooperative any time prior to this notice and your name is on this list, please contact DRN at 701-344-5000. If you know of the whereabouts of members on this list who received telephone or other service from DRN at any time please have them contact DRN at 701-344-5000. Please keep in mind that not all of the capital credit amounts are large. However, DRN desires to get the money due to those who earned it, and clear up DRN's records. DRN will redeem capital credits for those members on the following list who notify us on or prior to the 180<sup>th</sup> day after the first publication of this Notice. Notice is hereby given that any of the aforementioned unclaimed capital credits outstanding after the 180<sup>th</sup> day after the first publication of this Notice will be forfeited pursuant to Section 10-15-34.1 and 10-15-23 of the North Dakota Century Code. DRN shall publish this notice of redemption at least once a month for four months both in a publication circulated among members of cooperatives in the area, if any, and in a newspaper of general circulation in the area. The first publication occurred on July 19, 2023.

ALCO LIQUIDATING TRUST	BELDII KOSTIANTYN	CLARICE MAIRS
ALEX NITSCHKE	BENJAMIN ANDERSON	CLIFFORD DELCO
ALFRED SCHREINER	BETH & MIKE VAN STIPHOUT	CONNIE FABIAN
ALI & TROY GRABER	BETTY NELSON	COTTONWOOD APARTMENTS
ALICE LARSON	BLAINE LUNDGREN	DALE VOSBURG
ALLISON SCHUTT	BRAD FROEMKE	DARLENE OLSON
AMANDA HENNINGSEN	BUCK SCHULDHEISZ	DAVID MARTIN
AMIR IDOW	CARMINE JOHNSON	DAVID NEESER
AMY & PAUL OTTO	CATHERINE COLE	DAVID WIPF
ANDREW GERNER	CHARLOTTE MARUSKA	DAWN C GREGOR
ANNA LeBRUN	CHERYL MCAULEY	DELLA M JOHNSON
ARTHUR TRAUTMANN	CHRIS ANDERSON	DENNIS BERUBE
ARVIN ENDERSON	CHRISTINA & TODD MERRY	DERRICK NELSON
DONAVON BENDER	HELEN TANGEN	KRIVARCHKA DDS DR DUANE
DONNA LEPPERT	HELEN WILLPRECHT	LARRY JANSSEN
EHLEY'S BLACKSMITH	HENJUM PLUMBING & HEATING	LARRY SCHULTZ
ELLEDALE MOTORS	HOWARD SEEFELDT	LAWRENCE AMAN
EMMA HEIDINGER	IDA WEIGEL	LEE RIVERS
ENCORE	INFORMATION TECHNOLOGY DEPT	LEIGH HAMMOND

ERMA & DELBERT SCHRUM	IRVIN HUSETH	LEO PRITCHARD
ERVIN JOHNSON	ISABELLE BORK	LEROY RUFF
ERWIN MARTIN ESTATE	JAKE SCHRUM	LITCHVILLE ENTERPRISES
FARMERS UNION OIL CO-MILNOR	JAMES O ZIMBLEMAN	LITTLE GOLD MINE BAR
FARMS TIMBER CREEK BELL	JANEL ERICKSON	LORI DICK
FORT CAFD - TAMMY ANDERSON	JASON WINTER	LORI WIPF
FRANK RICHARDS	JEANNA & JOHN MCINTOSH	LOUISE GROETTUM
GARY W KELSEN	JERRY VAMPLE	LOUISE SMINESVIK
GEORGE DICK	JOAN OTTO	LUCILLE GROTELUESCHEN
GEORGE HANSON	JOCELYN BAILEY	LYNN NELSON
GLENNA REICH	JOEL E ROGERS	LYNNELL & DANNY PETERSON
GREG JENKINS	JOHN A ANDERSON	MABEL THOMASON
GWEN THOMPSON	JOHN C SIMEK	MARGARET SANDNESS
H DANIEL 'DAN' FROJEN	JUD FITNESS CENTER	MARION COMMUNITY CAFE
HAHNE'S HUNTING LODGE	KATHLEEN JENSEN	MARION NELSON
HAROLD FOSS	KEITH RAATZ	MARY J SMINESVIK
HASTINGS FIRE DEPT	KENNETH BOCKWOLDT	MARY KEIDEL
HEATHER BELL	KIM ERICKSON	MATT MEYERS
HEATHER HARDY	KLAUS MAREK	MELISSA OLSON
HEATHER LUND	KODJ RADIO	MERLE BENTSON
MICHAEL FURLONG	ROMAN BRASLAVSKYI	TRUE VALU OAKES
MICHAEL O'LEARY	RUTLAND GENERAL STORE	UMC PARSONAGE
MIKE LEONARD	RYAN VINE	VIOLA STROBEL
MILDRED WHEELER	SHAKE N BAKE	WALLACE SKOLD
MILTON MCLAEN	SHANE SEAVER	WANDA SCHREINER
MRS LORRAINE SEELIG	SHANNON JABLONSKY	WOODY NELSON
MYKOLA SUROVSKYI	SHARON AYRES	ZACKORY & JESSICA GARDNER
NATHAN HOLMGREN	SHARON MITZEL	ZIMBLEMAN DON SHOP
NORMAN HURT	SHAWN JOHNSON	
NORMAN WAHLUND	SHERI GLOVER	
ORLA & DUANE WAGNER	SHEYENNE SALOON	
PATSY HART	ST VINCENT	
PAUL GROETHE	STATE OF ND-ISD	
PAUL MARHULA	STATE OF ND-STATE HIGHWAY	
PHONETEL TECHNOLOGIES INC	STEVE MCAULEY	
REINHOLD BENEDEWALD	STEVEN D KOENIG	
RHONDA BETZ	TAMMY ANDERSON	
RICHARD A LARSON	TERESA GEMAR	

RICHARD CARNEY	TERRI KOTZ	
RICHARD D BELL	THE JUD BAR & GRILL, LLC	
RICHARD LELM	THE SHEYENNE SALOON	
ROBERT E STEHR	THOMAS KELSEN	
ROBERT J FAY	THOMAS L MAIER	
ROBERT J FORWARD	TIM BROWN	
ROBERT JORDHEIM	TIM CAVETT	
ROBERT MOELLENKAMP	TINA BEYER	
ROBERT SCHERR	TRACY D FORDE	
ROBIN HARMS	TRAVIS WALD	

## Crop coverage workshop to be held at NDSU

Opportunities to incorporate winter cover crops, forages and perennials into various cropping systems will be the focus of a North Dakota State University (NDSU) field day on Tuesday, Sept. 19.

Presenters will demonstrate and discuss the benefits of cover crops, perennials and establishing alfalfa in a growing crop. Clair Keene, NDSU Extension agronomist, and Marisol Berti, NDSU Department of Plant Sciences professor are leading the field day.

"Participants will have the opportunity to learn about cover crops and new perennial crops such as Kernza," says Keene. "Attendees also will be able to connect with other participants who have experience in incorporating cover crops and forages into their farming systems."

The field day will start with registration at 9 a.m. at the Hickson research site. Participants are responsible for their own transportation to Hickson,

North Dakota, approximately 15 miles south of Fargo.

To access the Hickson research site, take I-29 south out of Fargo to Kindred Exit #48 then turn east. Turn left (north) onto County Road 81, then drive one-half mile until you see the field day flags. A free lunch will be provided to all those who register online by Sept. 12.

The lunch and afternoon session will be on the NDSU campus just east of the intersection of 15th Ave N and Dakota Drive. Look for the white tent in the field to the east of Dakota Drive and to the west of the Dalrymple Research Greenhouse. The afternoon program will have walking tours of the campus research plots and will conclude at 3:30 p.m.

Topics at the morning session in Hickson include:

- Corn-alfalfa and sorghum-alfalfa intercropping and biodiversity
- Sunflower sainfoin and alfalfa intercropping

•Evaluating crop rotations for cold climates and their impact on soil microbiota  
Topics at the afternoon session in Fargo include.

- Freezing tolerance in winter camelina
- Alfalfa rhizobia research
- Perennial wheat and Kernza research in North Dakota
- Cover crops and forage sorghum

"I have researched various cover crops within many North Dakota cropping systems," says Marisol Berti, NDSU professor in forage, cover crops and biomass production. "Establishing alfalfa in corn, sunflower or sorghum has great potential to increase the profitability of forages."

To register for lunch and find more information about the field day, visit:

This field day is part of the outreach efforts associated with multiple grants from the U.S. Department of Agriculture - National Institute of Food and Agriculture awarded to North Dakota Agricultural Experiment Station scientists and USDA-ARS researchers.

### STATE OF NORTH DAKOTA PUBLIC SERVICE COMMISSION

**Public Service Commission  
Pipeline Safety  
Rulemaking**

**Case No. GS-23-289**

**Public Service Commission  
Emerging Threats  
Rulemaking**

**Case No. PU-23-264**

### NOTICE OF INTENT TO ADOPT AND AMEND ADMINISTRATIVE RULES RELATING TO EMERGING THREATS REPORTING AND PIPELINE SAFETY AND NOTICE OF PUBLIC HEARING

September 6, 2023

PLEASE TAKE NOTICE that the North Dakota Public Service Commission will hold a public hearing to address proposed amendments to N.D. Admin. Code 69-09-12, and N.D. Admin. Code 69-09-03.

A public hearing will be held on the proposed rules at:

**Commission Hearing Room  
12th floor, State Capitol  
Bismarck, North Dakota  
10:30 a.m. Central Time  
October 10, 2023**

Written comments may be submitted to the Public Service Commission until the close of business on October 20, 2023.

A copy of the proposed rules, analyses, and statements may be obtained at or by writing the Public Service Commission, 600 East Boulevard Avenue, Department 408, Bismarck, North Dakota 58505-0480, 701-328-2400, toll free 1-877-245-6685, Relay North Dakota TTY: 1-800-366-6888, or ndpsc@nd.gov. This information is also available to view on the Public Service Commission's web site at www.psc.nd.gov under "Formal Actions/Case Search".

If you plan to attend the public hearing and will need special facilities or assistance relating to a disability, please contact the agency at the above telephone number or address at least 24 hours prior to the public hearing.

**PUBLIC SERVICE COMMISSION**

**Sheri Haugen-Hoffart  
Commissioner**

**Randy Christmann  
Chair**

**Julie Fedorchak  
Commissioner**

**APPROVED**  
DATE: 11/08/2023  
JS

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Public Service Commission  
Pipeline Safety  
Rulemaking

Case No. GS-23-289

Public Service Commission  
Emerging Threats  
Rulemaking

Case No. PU-23-264

**MOTION**

**November 8, 2023**

I move the Commission issue an extended comment period to be published in Hazen and Williston, in Public Service Commission – Pipeline Safety - Rulemaking, Case No. GS-23-289 and in Public Service Commission – Emerging Threats – Rulemaking, Case No. PU-23-264.

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Public Service Commission  
Pipeline Safety  
Rulemaking

Case No. GS-23-289

Public Service Commission  
Emerging Threats  
Rulemaking

Case No. PU-23-264

NOTICE OF INTENT TO ADOPT AND AMEND ADMINISTRATIVE RULES  
RELATING TO EMERGING THREATS REPORTING AND PIPELINE SAFETY  
AND NOTICE OF PUBLIC HEARING

November 8, 2023

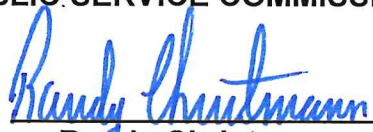
**PLEASE TAKE NOTICE** that the North Dakota Public Service Commission held a public hearing to address proposed amendments to N.D. Admin. Code **69-09-12**, and N.D. Admin. Code **69-09-03**.

A public hearing was held on the proposed rules at **10:30 a.m. Central Time on October 10, 2023, in the Commission Hearing Room, 12th floor, State Capitol, Bismarck, North Dakota**. Due to a delay in publishing the notice for the hearing, written comments may be submitted to the Public Service Commission until the close of business ten days after this publication. Comments received will be considered.

A copy of the proposed rules, analyses, and statements may be obtained at or by writing the Public Service Commission, 600 East Boulevard Avenue, Department 408, Bismarck, North Dakota 58505-0480, 701-328-2400, toll free 1-877-245-6685, Relay North Dakota TTY: 1-800-366-6888, or [ndpsc@nd.gov](mailto:ndpsc@nd.gov). This information is also available to view on the Public Service Commission's web site at [www.psc.nd.gov](http://www.psc.nd.gov) under "Formal Actions/Case Search".

PUBLIC SERVICE COMMISSION

  
Sheri Haugen-Hoffart  
Commissioner

  
Randy Christmann  
Chair

  
Julie Fedorchak  
Commissioner

## Affidavit of Publication

Liz Prather, being duly sworn, states as follows:

1. I am the designated agent, under the provisions and for the purposes of, Section 31-04-06, NDCC, for the newspapers listed on the attached exhibits.
2. The newspapers listed on the exhibits published the advertisement of: **Public Service Commission – PSC, Case no GS-23-289, 1 time(s)** as required by law or ordinance.
3. All of the listed newspapers are legal newspapers in the State of North Dakota and, under the provisions of Section 46-05-01, NDCC, are qualified to publish any public notice or any matter required by law or ordinance to be printed or published in a newspaper in North Dakota.

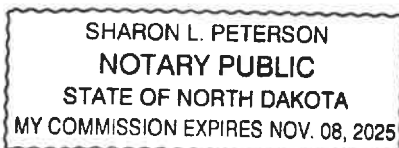
Signed: \_\_\_\_\_

State of North Dakota

County of Burleigh

Subscribed and sworn to before me this 21<sup>st</sup> day of November, 2023.

Sharon L. Peterson



# Classified Marketplace

**Land for Sale**  
**ND FARM LAND**  
 Values surge upward. Are you selling or renting? Pifer's Auction and Farm Land Management. Bob Pifer 701-271-8538. Kevin Pifer 701-238-5810. Free valuation.

**Antiques/Collectibles**  
**FOR SALE**  
**MONTANA AGATES BY THE POUND. ROUGH, SLAB, OR TUMBLED. AGATE & PETRIFFED ROCK.**  
 CALL 406-478-1892

**TOT DIRTY DUCTS? GOT DIRT OF SNEEZING OR WHEEZING AT HOME OR WORK?**  
 CALL DICK SKY DUCT CLEANING & RESIDENTIAL SERVICES 406-480-2024

**Public Notice**  
 ceeding in which a child is alleged to be delinquent, a child in need of services, or a child in need of protection if the child is of sufficient age and competency to assist counsel. Payment of reimbursement of counsel appointed pursuant to N.D.C.C. Section 27-20-12 is required from a person that has legal care, custody, and control of the child. If you, as parent or guardian of the child subject to the proceedings identified in the attached Summons and Petition, are hereby given notice of the potential obligation to pay attorney's fees, at the attorney's usual hourly rate, if, after the appointment of counsel by the Court, it is determined that you are not eligible for court-appointed counsel. In the event of ineligibility, you will be billed for legal services. Date this 9th day of November 2023, Jaakna Williams, Jaakna Williams, ND ID #08937 Williams County State's Attorney, P.O. Box 2047 Williston, ND 58802-2047. T. 701-577-4577 e-file: 53sa@co.williams.nd.us  
**Legal # WHM000942 - Published November 15, 22 and 29, 2023**

**Public Notice**  
 Date this 9th day of November 2023, Jaakna Williams, Jaakna Williams, ND ID #08937 Williams County State's Attorney, P.O. Box 2047 Williston, ND 58802-2047. T. 701-577-4577 e-file: 53sa@co.williams.nd.us  
**Legal # WHM000942 - Published November 15, 22 and 29, 2023**

**Public Notice**  
 said claims will be forever barred. Claims must either be presented to Randy S. Wolla, Personal Representative of the Estate of Diann Louise Halverson, P.O. Box 1680 Fargo, ND 58107, or filed with the Court dated this 20 day of October, 2023. /s/ Randy S. Wolla Randy S. Wolla c/o Furuseth Olson & Evert, PC PO Box 417 Williston ND 58802-0417  
**Legal # WHM000897 - Published October 29, November 5 and 15, 2023**

**Public Notice**  
**NOTICE TO CREDITORS**  
 Ryan Gehlert #06992, MacMaster, Gellert, & Stewart, Ltd. PO Box 547 Williston, 58801 701-572-9121 ryan@macmasterlaw.us Attorneys for Personal Representative  
**IN THE DISTRICT COURT OF WILLIAMS COUNTY, ND**  
 In the Matter of the Estate of **Keith R. Groot**, deceased  
 Notice is hereby given that the undersigned has been appointed personal representative of the above estate. Persons having claims against said deceased are required to present their claims within three months after the date of the first publication or mailing of this notice or said claims will be forever barred. Claims must be presented to David E. Groot, 825 Garfield Ave., Libertyville, IL 60048, or filed with the Court. DATED this 25th day of October, 2023.  
 /s/ David E. Groot  
 Personal Representative  
**Legal # WHM000902 - Published October 29, November 5 and 15, 2023**

**Public Notice**  
 Date this 9th day of November 2023, Jaakna Williams, Jaakna Williams, ND ID #08937 Williams County State's Attorney, P.O. Box 2047 Williston, ND 58802-2047. T. 701-577-4577 e-file: 53sa@co.williams.nd.us  
**Legal # WHM000942 - Published November 15, 22 and 29, 2023**

**Public Notice**  
 said claims will be forever barred. Claims must either be presented to Randy S. Wolla, Personal Representative of the Estate of Diann Louise Halverson, P.O. Box 1680 Fargo, ND 58107, or filed with the Court dated this 20 day of October, 2023. /s/ Randy S. Wolla Randy S. Wolla c/o Furuseth Olson & Evert, PC PO Box 417 Williston ND 58802-0417  
**Legal # WHM000897 - Published October 29, November 5 and 15, 2023**

**Public Notice**  
 said claims will be forever barred. Claims must either be presented to Randy S. Wolla, Personal Representative of the Estate of Diann Louise Halverson, P.O. Box 1680 Fargo, ND 58107, or filed with the Court dated this 20 day of October, 2023. /s/ Randy S. Wolla Randy S. Wolla c/o Furuseth Olson & Evert, PC PO Box 417 Williston ND 58802-0417  
**Legal # WHM000897 - Published October 29, November 5 and 15, 2023**

**Public Notice**  
**NOTICE OF HEARING**  
 Furuseth Olson & Evert, PC PO Box 417 - 107 Main Street Williston ND 58802-0417 (701) 774-0005 ID No. 06963 taylor@furusethlaw.com Attorney for the Petitioner  
**Probate No. 53-2023-PR -00308**  
**IN THE DISTRICT COURT OF WILLIAMS COUNTY, STATE OF NORTH DAKOTA**  
 In the Matter of Estate of **Paula Wentz**, deceased.  
**NOTICE OF HEARING**  
 1. NOTICE IS HEREBY GIVEN that Pamela Farrell has filed herein an Application for Formal Appointment of Personal Representative, a copy of which is on file in the office of the Clerk of Williams County District Court, PO Box 2047, Williston, North Dakota 58802-2047.  
 2. Hearing has been set upon said Application on December 11, 2023, at 8 o'clock a.m., at the Courtroom of the Court named Court in the City of Williston, in the County of Williams, State of North Dakota. Dated this 7 day of November, 2023.  
 Furuseth Olson & Evert, PC /s/ Taylor D. Olson Taylor D. Olson (RR693) PO Box 417 - 107 Main Street Williston ND 58802-0417 (701) 774-0005 taylor@furusethlaw.com  
**Legal # WHM000943 - Published November 15, 22 and 29, 2023**

**Public Notice**  
 Date this 9th day of November 2023, Jaakna Williams, Jaakna Williams, ND ID #08937 Williams County State's Attorney, P.O. Box 2047 Williston, ND 58802-2047. T. 701-577-4577 e-file: 53sa@co.williams.nd.us  
**Legal # WHM000942 - Published November 15, 22 and 29, 2023**

**Public Notice**  
 said claims will be forever barred. Claims must either be presented to Randy S. Wolla, Personal Representative of the Estate of Diann Louise Halverson, P.O. Box 1680 Fargo, ND 58107, or filed with the Court dated this 20 day of October, 2023. /s/ Randy S. Wolla Randy S. Wolla c/o Furuseth Olson & Evert, PC PO Box 417 Williston ND 58802-0417  
**Legal # WHM000897 - Published October 29, November 5 and 15, 2023**

**Public Notice**  
 said claims will be forever barred. Claims must either be presented to Randy S. Wolla, Personal Representative of the Estate of Diann Louise Halverson, P.O. Box 1680 Fargo, ND 58107, or filed with the Court dated this 20 day of October, 2023. /s/ Randy S. Wolla Randy S. Wolla c/o Furuseth Olson & Evert, PC PO Box 417 Williston ND 58802-0417  
**Legal # WHM000897 - Published October 29, November 5 and 15, 2023**

**Public Notice**  
**ALCOHOLIC BEVERAGE LICENSE FOR SALE**  
 Written sealed bids are invited on the following described alcoholic beverage license in Williston, North Dakota: A license to sell alcoholic beverages under the license type known as general for retail purposes for off premises consumption of beer and liquor. SUBJECT TO approval by the Board of City Commissioners of Williston, North Dakota and necessary approval by State of North Dakota.  
 /s/ Michael Halverson Michael Halverson, Co-Personal Representative of Estate of Diann Louise Halverson c/o Wold Johnson, P.C. P.O. Box 1680 Fargo, North Dakota 58107  
**Legal # WHM000901 - Published October 29, November 5 and 15, 2023**

**Public Notice**  
 Date this 9th day of November 2023, Jaakna Williams, Jaakna Williams, ND ID #08937 Williams County State's Attorney, P.O. Box 2047 Williston, ND 58802-2047. T. 701-577-4577 e-file: 53sa@co.williams.nd.us  
**Legal # WHM000942 - Published November 15, 22 and 29, 2023**

**Public Notice**  
 said claims will be forever barred. Claims must either be presented to Randy S. Wolla, Personal Representative of the Estate of Diann Louise Halverson, P.O. Box 1680 Fargo, ND 58107, or filed with the Court dated this 20 day of October, 2023. /s/ Randy S. Wolla Randy S. Wolla c/o Furuseth Olson & Evert, PC PO Box 417 Williston ND 58802-0417  
**Legal # WHM000897 - Published October 29, November 5 and 15, 2023**

**Public Notice**  
 said claims will be forever barred. Claims must either be presented to Randy S. Wolla, Personal Representative of the Estate of Diann Louise Halverson, P.O. Box 1680 Fargo, ND 58107, or filed with the Court dated this 20 day of October, 2023. /s/ Randy S. Wolla Randy S. Wolla c/o Furuseth Olson & Evert, PC PO Box 417 Williston ND 58802-0417  
**Legal # WHM000897 - Published October 29, November 5 and 15, 2023**

**Public Notice**  
**STATE OF NORTH DAKOTA COUNTY OF WILLIAMS IN JUVENILE COURT NORTHWEST JUDICIAL DISTRICT IN THE INTEREST OF A.P. (Y.O.B. 2013), A CHILD**  
 State of North Dakota, on behalf of North Star Human Service Zone, Petitioner  
 A.P., child, Stephanie Phillips a/k/a Stephanie Lopez, mother, Brandon Phillips, father, Respondents.  
**AMENDED SUMMONS**  
 File No. 53-2023-JV-00093 TO THE ABOVE-NAMED RESPONDENTS:  
 1. You, and each of you, are hereby notified of an Initial Hearing to be held in the above-entitled matter. Said initial hearing is set for December 14, 2023, at 1:00 p.m., or as soon thereafter as counsel may be heard. This matter will be heard in Juvenile Court in one of the courtrooms of the Williams County Courthouse located in Williston, North Dakota.  
 2. Additionally, you, and each of you, are hereby summoned and required to appear at an Adjudication Hearing in these matters before the Juvenile Court, at its chambers in the Williams County Courthouse in the City of Williston, North Dakota, on February 22, 2024 at 1:00 p.m., or as soon thereafter as the parties may be heard, for the purpose of hearing the Petition made and filed with this Court, which asks that the parental rights with respect to said child be terminated in accordance with North Dakota Century Code Chapter 27-20.3, as amended.  
 3. If you fail to appear and claim custodial rights to said child, this Court may then make an order terminating completely and forever all the parental rights of said child. RIGHT TO COUNSEL  
 4. While you are not required to have the assistance of legal counsel in these proceedings, if you are entitled to such assistance if you so desire. If you desire legal counsel and are unable, without undue financial hardship, to employ counsel, the Court, upon your request, will appoint legal counsel for you. If you intend to have legal counsel, you are requested to make the necessary arrangements in advance so as not to delay the hearing. If you cannot afford an attorney, please contact Juvenile Court to obtain the application for court-appointed counsel. Phone number is 701-774-4371.  
 5. In accordance with N.D.C.C. Section 27-20-2, 27-20.2, 27-20.3, and 27-20.4, is eligible for court-appointed counsel in any juvenile proceeding in which a child is alleged to be delinquent, a child in need of services, or a child in need of protection if the child is of sufficient age and competency to assist counsel. Payment of reimbursement of counsel appointed pursuant to N.D.C.C. Section 27-20-12 is required from a person that has legal care, custody, and control of the child. If you, as parent or guardian of the child subject to the proceedings identified in the attached Summons and Petition, are hereby given notice of the potential obligation to pay attorney's fees, at the attorney's usual hourly rate, if, after the appointment of counsel by the Court, it is determined that you are not eligible for court-appointed counsel. In the event of ineligibility, you will be billed for legal services. Date this 9th day of November 2023, Jaakna Williams, Jaakna Williams, ND ID #08937 Williams County State's Attorney, P.O. Box 2047 Williston, ND 58802-2047. T. 701-577-4577 e-file: 53sa@co.williams.nd.us  
**Legal # WHM000943 - Published November 15, 22 and 29, 2023**

**Public Notice**  
 Date this 9th day of November 2023, Jaakna Williams, Jaakna Williams, ND ID #08937 Williams County State's Attorney, P.O. Box 2047 Williston, ND 58802-2047. T. 701-577-4577 e-file: 53sa@co.williams.nd.us  
**Legal # WHM000942 - Published November 15, 22 and 29, 2023**

**Public Notice**  
 said claims will be forever barred. Claims must either be presented to Randy S. Wolla, Personal Representative of the Estate of Diann Louise Halverson, P.O. Box 1680 Fargo, ND 58107, or filed with the Court dated this 20 day of October, 2023. /s/ Randy S. Wolla Randy S. Wolla c/o Furuseth Olson & Evert, PC PO Box 417 Williston ND 58802-0417  
**Legal # WHM000897 - Published October 29, November 5 and 15, 2023**

**Public Notice**  
 said claims will be forever barred. Claims must either be presented to Randy S. Wolla, Personal Representative of the Estate of Diann Louise Halverson, P.O. Box 1680 Fargo, ND 58107, or filed with the Court dated this 20 day of October, 2023. /s/ Randy S. Wolla Randy S. Wolla c/o Furuseth Olson & Evert, PC PO Box 417 Williston ND 58802-0417  
**Legal # WHM000897 - Published October 29, November 5 and 15, 2023**

**Public Notice**  
**STATE OF NORTH DAKOTA COUNTY OF WILLIAMS IN JUVENILE COURT NORTHWEST JUDICIAL DISTRICT IN THE INTEREST OF B.L., a.k.a. baby girl L. (Y.O.B. 2023), a minor child**  
 State of North Star Human Service Zone, Petitioner, vs. B. R. L., a.k.a. baby girl L., child, Danielle Lovin, mother, Michael Robertson, Jr., putative father, and Unknown John Doe, potential father, Respondents. SUMMONS 53-2023-JV-00101  
 TO THE ABOVE-NAMED RESPONDENTS: 1. You, and each of you, are hereby notified of an Initial Hearing to be held in the above-entitled matter. Said initial hearing is set for November 22, 2023 at 1:00 p.m. CST, or as soon thereafter as counsel may be heard. This matter will be heard in Juvenile Court in one of the courtrooms of the Williams County Courthouse located in Williston, North Dakota. 2. Additionally, you, and each of you, are hereby summoned and required to appear at a Final Hearing in these matters before the Juvenile Court, at its chambers in the Williams County Courthouse located in Williston, North Dakota, on March 1, 2024, at 1:30 p.m. CST, or as soon thereafter as the parties may be heard, for the purpose of hearing the Petition made and filed with this Court, which asks that the parental rights with respect to said child be terminated in accordance with North Dakota Century Code Chapters 27-20.2 and 27-20.3, as amended. 3. If you fail to appear and claim custodial rights to said child, this Court may then make an order terminating completely and forever all the parental rights of said child. RIGHT TO COUNSEL 4. While you are not required to have the assistance of legal counsel in these proceedings, if you are entitled to such assistance if you so desire. If you desire legal counsel and are unable, without undue financial hardship, to employ counsel, the Court, upon your request, will appoint legal counsel for you. If you intend to have legal counsel, you are requested to make the necessary arrangements in advance so as not to delay the hearing. If you cannot afford an attorney, please contact Juvenile Court to obtain the application for court-appointed counsel. Phone number is 701-774-4371.  
 5. In accordance with N.D.C.C. Section 27-20-2, 27-20.2, 27-20.3, and 27-20.4, is eligible for court-appointed counsel in any juvenile proceeding in which a child is alleged to be delinquent, a child in need of services, or a child in need of protection if the child is of sufficient age and competency to assist counsel. Payment of reimbursement of counsel appointed pursuant to N.D.C.C. Section 27-20-12 is required from a person that has legal care, custody, and control of the child. If you, as parent or guardian of the child subject to the proceedings identified in the attached Summons and Petition, are hereby given notice of the potential obligation to pay attorney's fees, at the attorney's usual hourly rate, if, after the appointment of counsel by the Court, it is determined that you are not eligible for court-appointed counsel. In the event of ineligibility, you will be billed for legal services. Date this 9th day of November 2023, Jaakna Williams, Jaakna Williams, ND ID #08937 Williams County State's Attorney, P.O. Box 2047 Williston, ND 58802-2047. T. 701-577-4577 e-file: 53sa@co.williams.nd.us  
**Legal # WHM000943 - Published November 5, 15 and 22, 2023**

**Public Notice**  
 Date this 9th day of November 2023, Jaakna Williams, Jaakna Williams, ND ID #08937 Williams County State's Attorney, P.O. Box 2047 Williston, ND 58802-2047. T. 701-577-4577 e-file: 53sa@co.williams.nd.us  
**Legal # WHM000942 - Published November 5, 15 and 22, 2023**

**Public Notice**  
 said claims will be forever barred. Claims must either be presented to Randy S. Wolla, Personal Representative of the Estate of Diann Louise Halverson, P.O. Box 1680 Fargo, ND 58107, or filed with the Court dated this 20 day of October, 2023. /s/ Randy S. Wolla Randy S. Wolla c/o Furuseth Olson & Evert, PC PO Box 417 Williston ND 58802-0417  
**Legal # WHM000897 - Published October 29, November 5 and 15, 2023**

**Public Notice**  
 said claims will be forever barred. Claims must either be presented to Randy S. Wolla, Personal Representative of the Estate of Diann Louise Halverson, P.O. Box 1680 Fargo, ND 58107, or filed with the Court dated this 20 day of October, 2023. /s/ Randy S. Wolla Randy S. Wolla c/o Furuseth Olson & Evert, PC PO Box 417 Williston ND 58802-0417  
**Legal # WHM000897 - Published October 29, November 5 and 15, 2023**

**Public Notice**  
**STATE OF NORTH DAKOTA COUNTY OF WILLIAMS IN JUVENILE COURT NORTHWEST JUDICIAL DISTRICT IN THE INTEREST OF CHESTER E. WOLLA, DECEASED**  
 NOTICE TO CREDITORS  
 NOTICE IS HEREBY GIVEN that the undersigned has been appointed personal representative of the above estate. All persons having claims against the said deceased are requested to present their claims within three months after the date of the first publication or mailing of this Notice or said claims will be forever barred. Claims must either be presented to Randy S. Wolla, Personal Representative of the Estate of Diann Louise Halverson, P.O. Box 1680 Fargo, ND 58107, or filed with the Court dated this 20 day of October, 2023. /s/ Randy S. Wolla Randy S. Wolla c/o Furuseth Olson & Evert, PC PO Box 417 Williston ND 58802-0417  
**Legal # WHM000897 - Published October 29, November 5 and 15, 2023**

**Public Notice**  
 Date this 9th day of November 2023, Jaakna Williams, Jaakna Williams, ND ID #08937 Williams County State's Attorney, P.O. Box 2047 Williston, ND 58802-2047. T. 701-577-4577 e-file: 53sa@co.williams.nd.us  
**Legal # WHM000942 - Published November 5, 15 and 22, 2023**

**Public Notice**  
 said claims will be forever barred. Claims must either be presented to Randy S. Wolla, Personal Representative of the Estate of Diann Louise Halverson, P.O. Box 1680 Fargo, ND 58107, or filed with the Court dated this 20 day of October, 2023. /s/ Randy S. Wolla Randy S. Wolla c/o Furuseth Olson & Evert, PC PO Box 417 Williston ND 58802-0417  
**Legal # WHM000897 - Published October 29, November 5 and 15, 2023**

**Public Notice**  
 said claims will be forever barred. Claims must either be presented to Randy S. Wolla, Personal Representative of the Estate of Diann Louise Halverson, P.O. Box 1680 Fargo, ND 58107, or filed with the Court dated this 20 day of October, 2023. /s/ Randy S. Wolla Randy S. Wolla c/o Furuseth Olson & Evert, PC PO Box 417 Williston ND 58802-0417  
**Legal # WHM000897 - Published October 29, November 5 and 15, 2023**

**WHITE MOUNTAIN ELECTRIC INC.**  
**701-609-5676**  
 www.whitemountainelectric.com  
 Licensed & Insured - ND Masters 2223  
**LOCALLY OWNED & OPERATED**

**Public Notice**  
 Date this 9th day of November 2023, Jaakna Williams, Jaakna Williams, ND ID #08937 Williams County State's Attorney, P.O. Box 2047 Williston, ND 58802-2047. T. 701-577-4577 e-file: 53sa@co.williams.nd.us  
**Legal # WHM000942 - Published November 5, 15 and 22, 2023**

**Public Notice**  
 said claims will be forever barred. Claims must either be presented to Randy S. Wolla, Personal Representative of the Estate of Diann Louise Halverson, P.O. Box 1680 Fargo, ND 58107, or filed with the Court dated this 20 day of October, 2023. /s/ Randy S. Wolla Randy S. Wolla c/o Furuseth Olson & Evert, PC PO Box 417 Williston ND 58802-0417  
**Legal # WHM000897 - Published October 29, November 5 and 15, 2023**

**Public Notice**  
 said claims will be forever barred. Claims must either be presented to Randy S. Wolla, Personal Representative of the Estate of Diann Louise Halverson, P.O. Box 1680 Fargo, ND 58107, or filed with the Court dated this 20 day of October, 2023. /s/ Randy S. Wolla Randy S. Wolla c/o Furuseth Olson & Evert, PC PO Box 417 Williston ND 58802-0417  
**Legal # WHM000897 - Published October 29, November 5 and 15, 2023**

**Public Notice**  
 Date this 9th day of November 2023, Jaakna Williams, Jaakna Williams, ND ID #08937 Williams County State's Attorney, P.O. Box 2047 Williston, ND 58802-2047. T. 701-577-4577 e-file: 53sa@co.williams.nd.us  
**Legal # WHM000942 - Published November 5, 15 and 22, 2023**

**Public Notice**  
 Date this 9th day of November 2023, Jaakna Williams, Jaakna Williams, ND ID #08937 Williams County State's Attorney, P.O. Box 2047 Williston, ND 58802-2047. T. 701-577-4577 e-file: 53sa@co.williams.nd.us  
**Legal # WHM000942 - Published November 5, 15 and 22, 2023**

**Public Notice**  
 said claims will be forever barred. Claims must either be presented to Randy S. Wolla, Personal Representative of the Estate of Diann Louise Halverson, P.O. Box 1680 Fargo, ND 58107, or filed with the Court dated this 20 day of October, 2023. /s/ Randy S. Wolla Randy S. Wolla c/o Furuseth Olson & Evert, PC PO Box 417 Williston ND 58802-0417  
**Legal # WHM000897 - Published October 29, November 5 and 15, 2023**

**Public Notice**  
 said claims will be forever barred. Claims must either be presented to Randy S. Wolla, Personal Representative of the Estate of Diann Louise Halverson, P.O. Box 1680 Fargo, ND 58107, or filed with the Court dated this 20 day of October, 2023. /s/ Randy S. Wolla Randy S. Wolla c/o Furuseth Olson & Evert, PC PO Box 417 Williston ND 58802-0417  
**Legal # WHM000897 - Published October 29, November 5 and 15, 2023**

**ABBREVIATED NOTICE OF INTENT TO AMEND ADMINISTRATIVE RULES**  
 RELATING TO THE NORTH DAKOTA Native American Scholarship. **THE Native American Scholarship Board** will hold a public hearing to address proposed changes to the N.D. Admin. Code at **11:00am CST on Monday, December 18, 2023, at Nive River Capitol, Sheyene River Room, 600 E Boulevard Avenue, Bismarck, ND.**  
 A copy of the proposed rules may be obtained by writing to the North Dakota University System, State Capitol Building, Judicial Wing 1st Floor, Room 103, 800 E Boulevard Avenue, Dept. 21, Bismarck, ND 58505-0021 or visiting [www.nd.gov](http://www.nd.gov). Written comments may be submitted to North Dakota University System, State Capitol Building, Judicial Wing 1st Floor, Room 103, 800 E Boulevard Avenue, Dept. 21, Bismarck, ND 58505-0021 until December 18, 2023. If you plan to attend the public hearing and will need special facilities or assistance relating to a disability, please contact the North Dakota University System at the above telephone number or address at least 7 days prior to the public hearing. **December 18, 2023.**  
 Brenda Zastouf, Director  
 Financial Aid  
 North Dakota University System

**ABBREVIATED NOTICE OF INTENT TO AMEND ADMINISTRATIVE RULES**  
 RELATING TO N.D. exam requirements, passing conditions and fees; annual renewal dates; changes to retired and inactive status; disciplinary action hearings; CPE qualifications; and cleanup of old language and statutory citations.  
 TAKE NOTICE THAT  
**The North Dakota State Board of Accountancy** will hold a public hearing to address proposed changes to the N.D. Admin. Code at **10:00 am on Wednesday, January 3rd, 2024, at Eide Ball, 4321 20th Ave. S, Fargo ND**  
 A copy of the proposed rules may be obtained by writing to the North Dakota State Board of Accountancy, 1401 23rd Ave S STE 217, Grand Forks ND or calling 800-532-5848. Also written comments may be submitted to the address above or [mnrd@nd.gov](mailto:mnrd@nd.gov) until January 3rd, 2024. If you plan to attend the public hearing and will need special facilities or assistance relating to a disability, please contact the North Dakota Board of Accountancy at the above telephone number or address at least five days prior to the public hearing. Dated this 7th day of November 2023.  
 Mandy Harlow  
 Executive Director  
 North Dakota Board of Accountancy

**STATE OF NORTH DAKOTA PUBLIC SERVICE COMMISSION**  
 Case No. CS-23-280  
**Public Service Commission Pipeline Safety Rulemaking**  
 Case No. PU-23-264  
**Public Service Commission Emerging Threats Rulemaking**

**NOTICE OF INTENT TO ADOPT AND AMEND ADMINISTRATIVE RULES RELATING TO EMERGING THREATS REPORTING AND PIPELINE SAFETY AND NOTICE OF PUBLIC HEARING**  
 November 8, 2023  
 PLEASE TAKE NOTICE that the North Dakota Public Service Commission held a public hearing to address proposed amendments to N.D. Admin. Code 60-09-02, and N.D. Admin. Code 60-09-03.  
 A public hearing was held on the proposed rules at:  
**Commission Hearing Room 12th Floor, State Capitol Bismarck, North Dakota 58107**  
**10:30 a.m. Central Time**  
**October 10, 2023**  
 Due to the failure in publishing the notice for the hearing, written comments may be submitted to the Public Service Commission until the close of business two days after this publication. Comments received will be considered. A copy of the proposed rules, analysis, and attachments may be obtained at by writing to the Public Service Commission, 600 E. Boulevard Avenue, Des Moines, Bismarck, North Dakota 58505-0800, TOLL FREE 1-877-243-6683, Relay North Dakota TTY: 800-368-7629. This information is also available to view on the Public Service Commission's web site at [www.psc.nd.gov](http://www.psc.nd.gov) under "Formal Actions/Case Search".

**PUBLIC SERVICE COMMISSION**  
 Sheri Huggins-Hoffart, Commissioner  
 Randy Christensen, Chair  
 Julie Federbach, Commissioner

## Affidavit of Publication

Liz Prather, being duly sworn, states as follows:

1. I am the designated agent, under the provisions and for the purposes of, Section 31-04-06, NDCC, for the newspapers listed on the attached exhibits.
2. The newspapers listed on the exhibits published the advertisement of: **Public Service Commission, Public Service Commission, Case No. GS-23-289**, 1 time(s) as required by law or ordinance.
3. All of the listed newspapers are legal newspapers in the State of North Dakota and, under the provisions of Section 46-05-01, NDCC, are qualified to publish any public notice or any matter required by law or ordinance to be printed or published in a newspaper in North Dakota.

Signed: \_\_\_\_\_

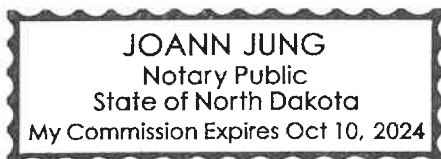
*Liz Prather*

State of North Dakota

County of Burleigh

Subscribed and sworn to before me this 11<sup>th</sup> day of January, 2024.

\_\_\_\_\_  
*Joann Jung*



- 23 GS-23-289 Filed 01/11/2024 Pages: 2  
Affidavit of Publication with Tear Sheets  
North Dakota Newspaper Association (NDNA)
- 23 PU-23-264 Filed 01/11/2024 Pages: 2  
Affidavit of Publication with Tear Sheets  
North Dakota Newspaper Association (NDNA)

# CENTER REPUBLICAN PUBLIC NOTICES

## NOTICE OF HEARING ON SPECIAL USE PERMIT APPLICATION

NOTICE IS HEREBY GIVEN that a Public Hearing shall be held pursuant to City of Center Zoning Ordinances Section 12.04(3) before the City of Center Planning & Zoning Commission, at the Betty Hagel Memorial Civic Center, 312, N. Lincoln Ave., Center, ND, on the 12th day of December 2023, at 6:00 p.m. CST, to consider the Special Use Permit Application submitted and described as follows: Hillside RV Park, rural Center, ND.  
Project Name: RV Park; up to Project Type:  
Anticipated Construction Schedule: To be completed in 2024.  
Applicants: Brian Dresser/Scott Maier Center, ND 58530.  
Proposed Lots affected: Lot F, in NW 1/4 of Sec. 14, T142-R84W, Oliver County Current Zoning: Agricultural Proposed Zoning: Agricultural Application for Special Use Permit-RV

Park.  
Detailed Description of Special Use: Proposal is to construct an RV Park with up to 50 RV pads with water, electricity, and sewer, and possibly ten 1 and 2 bedroom cabins; more detailed plans are filed and may be viewed during business hours at the Center City Offices, 312 Lincoln Ave. N., Center, ND.  
The hearing shall be open to the public for comment, subject to reasonable limitations required for public safety. Information on access availability and limitations can be obtained by calling the Center City Auditor's office, at (701) 794-3650.  
Dated this 22nd day of November 2023.  
Tammey Schutt  
Center City Auditor  
(11-30-2023)(12-07-2023)

### STATE OF NORTH DAKOTA PUBLIC SERVICE COMMISSION

Public Service Commission  
Pipeline Safety  
Rulemaking

Case No. GS-23-289

Public Service Commission  
Emerging Threats  
Rulemaking

Case No. PU-23-264

### NOTICE OF INTENT TO ADOPT AND AMEND ADMINISTRATIVE RULES RELATING TO EMERGING THREATS REPORTING AND PIPELINE SAFETY AND NOTICE OF PUBLIC HEARING November 8, 2023

PLEASE TAKE NOTICE that the North Dakota Public Service Commission held a public hearing to address proposed amendments to N.D. Admin. Code 69-09-12, and N.D. Admin. Code 69-09-03.

A public hearing was held on the proposed rules at:

**Commission Hearing Room  
12th floor, State Capitol  
Bismarck, North Dakota  
10:30 a.m. Central Time  
October 10, 2023**

Due to a delay in publishing the notice for the hearing, written comments may be submitted to the Public Service Commission until the close of business ten days after this publication. Comments received will be considered. A copy of the proposed rules, analyses, and statements may be obtained at or by writing the Public Service Commission, 600 East Boulevard Avenue, Department 408, Bismarck, North Dakota 58505-0480, 701-328-2400, toll free 1-877-245-6685, Relay North Dakota TTY: 1-800-366-6888, or ndpsc@nd.gov. This information is also available to view on the Public Service Commission's web site at www.psc.nd.gov under "Formal Actions/Case Search".

#### PUBLIC SERVICE COMMISSION

Sheri Haugen-Hoffart  
Commissioner

Randy Christmann  
Chair

Julie Fedorchak  
Commissioner

## NOTICE OF APPLICATION AND PUBLIC HEARING

LCC Telecom Services, agent on behalf of VB BTS II, LLC (Vertical Bridge) & T-Mobile, of 10700 W Higgins Rd., Suite 240, Rosemont, IL 60018, has applied for a conditional use permit to construct a telephone microwave transmitting tower within the SW 1/4 of Section 1, Township 142, Range 86 of Oliver County, North Dakota.  
Take further notice that the Oliver County Planning and Zoning Commission pursuant to the provisions of Section 17.3, of the Oliver County

Zoning Ordinance, will hold a public hearing on the request.  
The hearing will be held at 7:00 PM on Thursday, December 21, 2023, in the Meeting Room of the Oliver County Courthouse, in Center, North Dakota. Anyone wishing to respond to the applicant's request may do so at the time of the hearing.  
John R. Wicklund  
Oliver County  
Land Use Administrator  
(12-07-2023) (12-14-2023)

## NOTICE OF PUBLIC HEARING

Notice is hereby given that the Oliver County Planning and Zoning Board will hold a public hearing on Thursday, December 21, 2023, at 7:00 p.m., in the Meeting Room of the Oliver County Courthouse, 115 W Main St, Center, North Dakota, to consider an amendment to the Oliver County Planning & Zoning Ordinances. The changes are to add a section

to include CO2 Sequestration and Facilities to the ordinance. To see any changes you can pick up a copy in the Auditor's Office at the Oliver County Courthouse.  
The public may comment by attending the meeting or in writing to the Oliver County Planning & Zoning Board, PO Box 188, Center, ND 58530.  
(12-07-2023) (12-14-2023)

### ABBREVIATED NOTICE OF INTENT TO ADOPT, AMEND, AND REPEAL ADMINISTRATIVE RULES

RELATING TO Department of Water Resources Operations  
TAKE NOTICE that the  
**Department of Water Resources**

will hold a public hearing to address proposed changes to the N.D. Admin. Code Title 89 at

**9:30am on January 26, 2024, at 1200 Memorial Highway, Bismarck ND 58504. The Department will provide a link at www.dwr.nd.gov for online participation.**

A copy of the proposed rules may be obtained by writing the Department of Water Resources at 1200 Memorial Highway, Bismarck ND 58504, calling 701-328-2795, or online at www.dwr.nd.gov. Also, written comments may be submitted to Department of Water Resources, 1200 Memorial Highway, Bismarck ND 58504, or via email to asebach@nd.gov with the subject "Administrative Code Comments," until 5 pm February 5, 2024. If any accommodations are needed related to this rule update or public hearing attendance, please contact the Department's Civil Rights Compliance Coordinator, Chris Kadmas, at 701-328-1956 or ckadmas@nd.gov at least 24-hours prior to the public hearing. Dated this 1st day of December, 2023.  
/s/ Andrea Travnicek  
Director - Department of Water Resources

### ABBREVIATED NOTICE OF INTENT TO ADOPT, AMEND, AND REPEAL ADMINISTRATIVE RULES

RELATING TO State Board of Water Well Contractors Operations  
TAKE NOTICE that the

**State Board of Water Well Contractors**

will hold a public hearing to address proposed changes to the N.D. Admin. Code Title 90 at

**10:30am on January 26, 2024, at 1200 Memorial Highway, Bismarck ND 58504. A link will be provided at www.dwr.nd.gov for online participation.**

A copy of the proposed rules may be obtained by writing the Department of Water Resources at 1200 Memorial Highway, Bismarck ND 58504, calling 701-328-2795, or online at www.dwr.nd.gov. Also, written comments may be submitted to Department of Water Resources, 1200 Memorial Highway, Bismarck ND 58504, or via email to asebach@nd.gov with the subject "Administrative Code Comments," until 5 pm February 5, 2024. If any accommodations are needed related to this rule update or public hearing attendance, please contact the Department of Water Resources' Civil Rights Compliance Coordinator, Chris Kadmas, at 701-328-1956 or ckadmas@nd.gov at least 24-hours prior to the public hearing. Dated this 1st day of December, 2023.  
/s/ Kati Arneson Administrative Assistant, North Dakota State Board of Water Well Contractors

### ABBREVIATED NOTICE OF INTENT TO AMEND ADMINISTRATIVE RULES

RELATING TO the North Dakota Racing Commission Rules  
TAKE NOTICE that the

**North Dakota Racing Commission**

will hold a public hearing to address proposed changes to the ND Admin. Code articles 69.5-01-01, 69.5-01-02, 69.5-01-03, 69.5-01-04, 69.5-01-05, 69.5-01-07, 69.5-01-08, 69.5-01-09, 69.5-01-10, 69.5-01-11, and 69.5-01-12 at

**10:00 am on January 5, 2024, at 4501 Coleman Street, Suite 100, Bismarck, North Dakota.**

A copy of the proposed rules may be obtained by writing the North Dakota Racing Commission or calling 701-328-4633. Also, written comments may be submitted to the above address until January 15, 2024. If you plan to attend the public hearing and will need special facilities or assistance relating to a disability, please contact the North Dakota Racing Commission at the above telephone number or address at least 5 days prior to the public hearing. Dated this 4th day of December 2023.  
Bruce Johnson  
Executive Director NDRC

## Search for missing man goes from 'proactive' to 'reactive'

### Family loses Christmas spirit as holiday nears with no answer

BY KELLI AMELING  
ASSOCIATE PUBLISHER

It has been about three weeks since a man went missing from Bismarck and was last seen in McLean County.

Daily organized searches have now been reduced to weekend attempts as the children of Lloyd Liken returned to work this week.

An alert was issued for Lloyd Liken, 81, of Bismarck, who was last seen Nov. 16 by family leaving the 4400 block of Turnbow Lane in Bismarck driving a gold Toyota Highlander with license plate number 745 BMN at about 8 p.m.

Liken is a 6-foot-tall white male, with grey hair and blue eyes, weighing about 200 pounds.

A confirmed sighting of his vehicle was seen at about 1 a.m. Nov. 18 traveling southbound on N.D. Highway 83 by mile marker 119 near Wilton.

For the first two weeks of his disappearance, Liken's daughter Lisa Liken-Monroe and her husband Chad have been holding daily searches throughout Central North Dakota with the help of Badlands Search and Rescue Service.

As of Dec. 4, the organized searches are now down to weekends as Lisa and Chad returned to work.

"The search for Lloyd Liken continues but it is taking a more reactive stance rather than being proactive," Lisa said. "This means that (we) are just waiting for any sort of tips to come in yet. The family will continue to search for Lloyd until he is found but their searching will be done on the weekends as time and weather allow."

Lisa said the family is battling the grieving cycle – trying to keep a glimmer of hope while going through all the steps that come with grief.

"(I am) seeing a counselor to help work things through as it is difficult to gain any type of closure when you don't have a definitive outcome yet," Lisa explained.

Lisa said her father has a love for Elvis, and with Christmas nearing with no answers, she described the holiday season as "a blue one."

The search for Lloyd began in Central North Dakota due to the confirmed sighting Nov. 18, but has now gone not just state-wide but the search is now ongoing in multiple states.

"(We are) pleading that any land owners in North Dakota, South Dakota or Iowa to please check their properties," she stressed.

Although she is not convinced her father left the state, Lisa said she has learned a lot about dementia through this experience and the neighboring states were added due to Lloyd's connection to them.

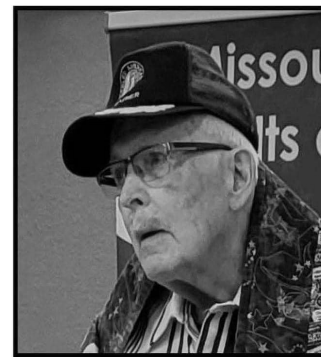
Anyone with information is asked to call the Bismarck Police Department at 701-223-1212 or 911.

For daily updates and search meetings, follow "Looking for Lloyd Liken" on Facebook.

## MISSING PERSON

**Lloyd Liken**

81 years old, White Male,  
6-0, 200 lbs, grey hair, blue eyes



745 BMN

Mr. Liken was last seen leaving the 4400 Blk of Turnbow Lane in his gold Toyota Highlander on November 16<sup>th</sup>, 2023, at around 8:00 p.m. Mr. Liken does not have a phone and his clothing description is unknown. He has gotten lost twice recently and was located by law enforcement. Currently any medical conditions are unknown. Mr. Liken does not meet the criteria for a Silver Alert.

If you have any information concerning Mr. Liken, please contact the Bismarck Police Department at 701-223-1212, Or your local law enforcement agency.



**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

**Public Service Commission**  
**Emerging Threats**  
**Rulemaking**

**Case No. PU-23-264**

CHAPTER 69-09-12

RESOURCE PLANS AND ~~CYBERSECURITY~~SECURITY

Section

69-09-12-01 Definitions

69-09-12-02 Resource Plan Procedure

69-09-12-03 Resource Plan Attributes

69-09-12-04 Filing Requirements

69-09-12-05 Security

69-09-12-01. Definitions.

1. "Resource plan" means a set of resource options an electric public utility plans to use to meet

the electric capacity and energy requirements of the utility's customers over a planning horizon, including an explanation of the electric supply and demand circumstances when each resource option would be used to meet the capacity and energy needs in an adequate and reliable manner.

2. "Externality" means numerical costs or quantified values assigned to represent environmental costs that are not internalized in the cost of production, or the market price of electricity from a particular electric resource or the alleged costs of complying with future environmental laws or regulations that have not yet been enacted.

3. "Renewable integration cost" means the cost of measures to help meet the incremental needs of the system as more renewable energy is added to the resource mix.

4. "Unserved energy" means the amount of end-customer demand measured in megawatt-hours that cannot be supplied due to a deficiency of generation either generated or imported by the electric public utility or transmission capacity.

5. "Security" means physical security and cybersecurity.

History: Effective January 1, 2023; amended effective \_\_\_\_\_.

General Authority: NDCC 49-02-04

Law Implemented: NDCC 49-05-04.4, 49-05-17

69-09-12-05. Security.

1. An electric public utility shall meet with the commission annually to report on cybersecuritysecurity preparedness.

2. The report must provide:

a. Information on the policies, procedure, and process used to inform the management of cybersecuritysecurity risk;

b. Information on any critical technology, constraints related to procurement, supply chain risk, impact of compromise to the supply chain, and controls to manage risk associated with dependency on external entities;

c. An assessment of emerging threats and efforts taken by the electric public utility to implement cybersecuritysecurity measures;

d. A description of the process used to support compliance with applicable standards, laws, regulations, and best practices;

e. A description of the policies and protections used to ensure the security of information and operational systems and safeguard against loss of confidential information;

f. Information on activities to monitor, detect, and analyze information related to cybersecuritysecurity threats;

g. Information on the systems used for collaboration and communication of information and intelligence sharing;

h. Information on activities used to address a detected cybersecuritysecurity incident, contain impacts, limit potential damage, and manage consequences of a cybersecuritysecurity incident;

i. Information on any plans to maintain resilience and business continuity, timely recovery to normal operations, and corrective actions after occurrence of an incident;

j. Information or plans for asset sharing with other electric public utilities and electrical cooperatives to maintain services in the event of a security incident;

k. Information on tabletop and field training exercises regarding security;

3. The commission may close the meeting to discuss the cybersecuritysecurity report, unless the commission orders otherwise.

History: Effective January 1, 2023: amended effective \_\_\_\_\_.

General Authority: NDCC 49-02-04

Law Implemented: NDCC 49-05-17

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

**Public Service Commission**  
**Pipeline Safety**  
**Rulemaking**

**Case No. GS-23-289**

**Statements on Regulatory Analysis, Small Entity Analysis,  
and Takings Assessment**

**October 10, 2023**

The purpose of this rulemaking is to adopt, by reference in state administrative rule, the most recent amendments to pipeline safety regulations adopted by the United States Department of Transportation, Pipeline and Hazardous Materials Safety Administration (PHMSA).

This rule change adopts amendments to safety regulations that have been adopted by PHMSA since December 1, 2021, current to September 6, 2023. A summary/explanation of the specific changes to be adopted by reference for pipeline safety is attached.

**Regulatory Analysis**

N.D.C.C. § 28-32-08 requires an agency to prepare a regulatory analysis if the rule is expected to have an impact on the regulated community in excess of fifty thousand dollars, or if one is requested as provided in the law. The law provides, in part:

2. The regulatory analysis must contain:
  - a. A description of the classes of persons who probably will be affected by the proposed rule, including classes that will bear the costs of the proposed rule and classes that will benefit from the proposed rule;
  - b. A description of the probable impact, including economic impact, of the proposed rule;
  - c. The probable costs to the agency of the implementation and enforcement of the proposed rule and any anticipated effect on state revenues; and
  - d. A description of any alternative methods for achieving the purpose of the proposed rule that were seriously considered by the agency and the reasons why the methods were rejected in favor of the proposed rule.

North Dakota system operators subject to Commission jurisdiction who may be affected by the federal regulations proposed to be adopted by reference for the state pipeline safety program include intrastate liquefied natural gas facility operators, intrastate natural gas distribution system operators, natural gas and hazardous liquid transmission pipeline operators, and certain natural gas and hazardous liquid gathering system operators.

The Commission acts as agent for the United States Department of Transportation, Pipeline and Hazardous Materials Safety Administration (PHMSA), in the enforcement of the minimum gas pipeline safety standards on all gas distribution and intrastate transmission facilities and enforcement of safety standards on all liquefied natural gas facilities within the state. This is accomplished by entering into a 601055(a) Title 49 agreement with the United States Department of Transportation that requires North Dakota to adopt all the federal gas safety standards, along with any future amendments to those standards. This rulemaking is a part of that ongoing agreement.

The intrastate natural gas and hazardous liquid transmission pipeline operators, intrastate natural gas distribution system operators, and liquefied natural gas facility operators must comply with the federal amendments and therefore were impacted financially as a result of PHMSA's adoption of the amendments. Adoption of these amendments for the state pipeline safety program will have no additional impact on the regulated community.

A regulatory analysis has not been requested, and the proposal is not expected to impact the regulated community by an amount in excess of fifty thousand dollars (\$50,000.00). Consequently, no regulatory analysis is required.

### **Small Entity Regulatory Analysis**

N.D.C.C. § 28-32-08.1 requires that before adoption of any proposed rule, the adopting agency prepare a regulatory analysis in which the agency considers options to minimize adverse impact on small entities. The law provides, in part:

2. The agency shall consider each of the following methods of reducing impact of the proposed rule on small entities:
  - a. Establishment of less stringent compliance or reporting requirements for small entities;
  - b. Establishment of less stringent schedules or deadlines for compliance or reporting requirements for small entities;
  - c. Consolidation or simplification of compliance or reporting requirements for small entities;

- d. Establishment of performance standards for small entities to replace design or operational standards required in the proposed rule; and
- e. Exemption of small entities from all or any part of the requirements contained in the proposed rule.

A small entity regulatory analysis is not required because the proposed amendments to the existing rule for both the natural gas and hazardous liquids pipeline systems are mandated by federal law.

### **Small Entity Economic Impact Analysis**

A small entity economic impact statement is not required because the proposed amendments to the existing rule for both the natural gas and hazardous liquids pipeline systems are mandated by federal law.

### **Takings Assessment**

N.D.C.C. § 28-32-09 requires an entity to prepare a written assessment of the constitutional takings implications of a proposed rule that may limit the use of private real property.

The proposed rules should not limit the use of private property so a takings assessment is not required.

PHMSA latest rulemakings effective date after December 1, 2021  
 Summary as of September 6, 2023

Part affected	Amendment No.	Federal Register	Description	Effective date after December 1, 2021
190	No Number	86 FR 23241	Revisions To Civil Penalty Amounts	05/03/2021
190	No Number	87 FR 15839	Revisions To Civil Penalty Amounts	03/21/2022
190	No Number	87 FR 28779	Criminal Referrals	05/11/2022
190	No Number	88 FR 1114	Revisions To Civil Penalty Amounts	01/06/2023
191	31	87 FR 26296	Safety of Gas Gathering Pipelines: Extension of Reporting Requirements, Regulation of Large, High-Pressure Lines, and Other Related Amendments: Response to a Petition for Reconsideration; Technical Corrections; Issuance of Limited Enforcement Discretion	05/16/2022
191	32	87 FR 35675	Safety of Gas Gathering Pipelines: Extension of Reporting Requirements, Regulation of Large, High-Pressure Lines, and Other Related Amendments: Technical Corrections	06/13/2022
192	130	87 FR 20940	Requirement of Valve Installation and Minimum Rupture Detection Standards	10/05/2022
192	131	87 FR 26296	Safety of Gas Gathering Pipelines: Extension of Reporting Requirements, Regulation of Large, High-Pressure Lines, and Other Related Amendments: Response to a Petition for Reconsideration; Technical Corrections; Issuance of Limited Enforcement Discretion	05/16/2022

192	132	87 FR 52224	Safety of Gas Transmission Pipelines: Repair Criteria, Integrity Management Improvements, Cathodic Protection, Management of Change, and Other Related Amendments	08/24/2022
192	132c	87 FR 64384	Safety of Gas Transmission Pipelines: Repair Criteria, Integrity Management Improvements, Cathodic Protection, Management of Change, and Other Related Amendments	05/24/2023
192	133	88 FR 24708	Safety of Gas Transmission Pipelines: Repair Criteria, Integrity Management Improvements, Cathodic Protection, Management of Change, and Other Related Amendments: Technical Corrections; Response to Petitions for Reconsideration	05/24/2023
192	134	88 FR 50056	Pipeline Safety: Requirement of Valve Installation and Minimum Rupture Detection Standards: Technical Corrections	08/01/2023
195	104	86 FR 73173	Unusually Sensitive Areas For The Great Lakes, Coastal Beaches, And Certain Coastal Waters	02/25/2022
195	105	87 FR 20940	Requirement Of Valve Installation And Minimum Rupture Detection Standards	10/05/2022
195	106	88 FR 50056	Requirement Of Valve Installation And Minimum Rupture Detection Standards: Technical Corrections	08/01/2023

**Part 190, Amendment #No Number, 86 FR 23241: REVISIONS TO CIVIL PENALTY AMOUNTS**

In accordance with the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, this final rule provides the 2021 inflation adjustment to civil penalty amounts that may be imposed for violations of certain DOT regulations. In addition, this

rule amends the Federal Aviation Administration regulations to set forth the new civil penalties established in Division V, Title I of the Consolidated Appropriations Act, 2021. The rule also corrects a rounding error in an FAA penalty.

**Part 190, Amendment #No Number, 87 FR 15839: REVISIONS TO CIVIL PENALTY AMOUNTS**

This final rule provides the statutorily-prescribed 2022 adjustment to civil penalty amounts that may be imposed for violations of certain DOT regulations. In addition, this rule notes new DOT civil penalties authority provided in the Bipartisan Infrastructure Law (BIL, enacted as the Infrastructure Investment and Jobs Act).

**Part 190, Amendment #No Number, 87 FR 28779: CRIMINAL REFERRALS**

PHMSA is incorporating within its regulations language noting its employees' ability to refer actual or possible criminal activity in connection with PHMSA's jurisdictional statutes directly to the DOT Office of Inspector General (OIG).

**Part 190, Amendment #No Number, 88 FR 1114: REVISIONS TO CIVIL PENALTY AMOUNTS**

This final rule provides the statutorily-prescribed 2023 adjustment to civil penalty amounts that may be imposed for violations of certain DOT regulations.

**Part 191, Amendment #31, 87 FR 26296: SAFETY OF GAS GATHERING PIPELINES: EXTENSION OF REPORTING REQUIREMENTS, REGULATION OF LARGE, HIGH-PRESSURE LINES, AND OTHER RELATED AMENDMENTS: RESPONSE TO A PETITION FOR RECONSIDERATION; TECHNICAL CORRECTIONS; ISSUANCE OF LIMITED ENFORCEMENT DISCRETION**

PHMSA is alerting the public to its April 1, 2022, response denying a petition for reconsideration of the final rule titled "Safety of Gas Gathering Pipelines: Extension of Reporting Requirements, Regulation of Large, High-Pressure Lines, and Other Related Amendments." This final rule also makes clarifications and two technical corrections to that rulemaking. Lastly, this final rule memorializes a limited enforcement discretion in connection with that rulemaking's amendment of the regulatory definition of "incidental gathering."

**Part 191, Amendment #32, 87 FR 35675: SAFETY OF GAS GATHERING PIPELINES: EXTENSION OF REPORTING REQUIREMENTS, REGULATION OF LARGE, HIGH-PRESSURE LINES, AND OTHER RELATED AMENDMENTS: TECHNICAL CORRECTIONS**

PHMSA is issuing corrections of certain changes to incident and annual reporting requirements for offshore gathering pipelines in its November 15, 2021, final rule titled "Safety of Gas Gathering Pipelines: Extension of Reporting Requirements, Regulation of Large, High-Pressure Lines, and Other Related Amendments."

**Part 192, Amendment #130, 87 FR 20940: REQUIREMENT OF VALVE INSTALLATION AND MINIMUM RUPTURE DETECTION STANDARDS**

PHMSA is revising the Federal Pipeline Safety Regulations applicable to most newly constructed and entirely replaced onshore gas transmission, Type A gas gathering, and hazardous liquid pipelines with diameters of 6 inches or greater. In the revised regulations, PHMSA requires operators of these lines to install rupture-mitigation valves (i.e., remote-control or automatic shut-off valves) or alternative equivalent technologies, and establishes minimum performance standards for those valves' operation to prevent or mitigate the public safety and environmental consequences of pipeline ruptures. This final rule establishes requirements for rupture-mitigation valve spacing, maintenance and inspection, and risk analysis. The final rule also requires operators of gas and hazardous liquid pipelines to contact 9-1-1 emergency call centers immediately upon notification of a potential rupture and conduct post-rupture investigations and reviews. Operators must also incorporate lessons learned from such investigations and reviews into operators' personnel training and qualifications programs, and in design, construction, testing, maintenance, operations, and emergency procedure manuals and specifications. PHMSA is promulgating these regulations in response to congressional directives following major pipeline incidents where there were significant environmental consequences or losses of human life. The revisions are intended to achieve better rupture identification, response, and mitigation of safety, greenhouse gas, and environmental justice impacts.

**Part 192, Amendment #131, 87 FR 26296: SAFETY OF GAS GATHERING PIPELINES: EXTENSION OF REPORTING REQUIREMENTS, REGULATION OF LARGE, HIGH-PRESSURE LINES, AND OTHER RELATED AMENDMENTS: RESPONSE TO A PETITION FOR RECONSIDERATION; TECHNICAL CORRECTIONS; ISSUANCE OF LIMITED ENFORCEMENT DISCRETION**

PHMSA is alerting the public to its April 1, 2022, response denying a petition for reconsideration of the final rule titled "Safety of Gas Gathering Pipelines: Extension of Reporting Requirements, Regulation of Large, High-Pressure Lines, and Other Related Amendments." This final rule also makes clarifications and two technical corrections to that rulemaking. Lastly, this final rule memorializes a limited enforcement discretion in connection with that rulemaking's amendment of the regulatory definition of "incidental gathering."

**Part 192, Amendment #132, 87 FR 52224: SAFETY OF GAS TRANSMISSION PIPELINES: REPAIR CRITERIA, INTEGRITY MANAGEMENT IMPROVEMENTS, CATHODIC PROTECTION, MANAGEMENT OF CHANGE, AND OTHER RELATED AMENDMENTS**

PHMSA is revising the Federal Pipeline Safety Regulations to improve the safety of onshore gas transmission pipelines. This final rule addresses several lessons learned following the Pacific Gas and Electric Company incident that occurred in San Bruno, CA, on September 9, 2010, and responds to public input received as part of the rulemaking process. The amendments in this final rule clarify certain integrity management provisions, codify a management of change process, update and bolster gas transmission pipeline corrosion control requirements, require operators to inspect pipelines following extreme weather events, strengthen integrity management assessment requirements, adjust the repair criteria for high-consequence areas, create

new repair criteria for non-high consequence areas, and revise or create specific definitions related to the above amendments.

**Part 192, Amendment #132c, 87 FR 64384: SAFETY OF GAS TRANSMISSION PIPELINES: REPAIR CRITERIA, INTEGRITY MANAGEMENT IMPROVEMENTS, CATHODIC PROTECTION, MANAGEMENT OF CHANGE, AND OTHER RELATED AMENDMENTS**

Correction: In Rule Document 2022-17031, appearing on pages 52224-52279, in the issue of Wednesday, August 24, 2022, a correction is made: On page 52267, in the third column, paragraph "(2)(i)" (of Sec. 192.3 Definitions.) is corrected.

**Part 192, Amendment #133, 88 FR 24708: SAFETY OF GAS TRANSMISSION PIPELINES: REPAIR CRITERIA, INTEGRITY MANAGEMENT IMPROVEMENTS, CATHODIC PROTECTION, MANAGEMENT OF CHANGE, AND OTHER RELATED AMENDMENTS: TECHNICAL CORRECTIONS; RESPONSE TO PETITIONS FOR RECONSIDERATION**

PHMSA is making necessary technical corrections to ensure consistency within, and the intended effect of, a recently issued final rule titled "Safety of Gas Transmission Pipelines: Repair Criteria, Integrity Management Improvements, Cathodic Protection, Management of Change, and Other Related Amendments." PHMSA also alerts the public to its November 18, 2022, and April 19, 2023, responses to petitions for reconsideration of this final rule.

**Part 192, Amendment #134, 88 FR 50056: PIPELINE SAFETY: REQUIREMENT OF VALVE INSTALLATION AND MINIMUM RUPTURE DETECTION STANDARDS: TECHNICAL CORRECTIONS**

PHMSA is issuing editorial and technical corrections clarifying the regulations promulgated in its April 8, 2022, final rule titled "Pipeline Safety: Requirement of Valve Installation and Minimum Rupture Detection Standards" for certain gas, hazardous liquid, and carbon dioxide pipelines. The final rule also codifies the results of judicial review of that final rule.

**Part 195, Amendment #104, 86 FR 73173: UNUSUALLY SENSITIVE AREAS FOR THE GREAT LAKES, COASTAL BEACHES, AND CERTAIN COASTAL WATERS**  
PHMSA is amending the pipeline safety regulations to explicitly state that certain coastal waters, the Great Lakes, and coastal beaches are classified as unusually sensitive areas for the purpose of compliance with the hazardous liquid integrity management regulations. This amendment implements mandates contained in the Protecting our Infrastructure of Pipelines and Enhancing Safety (PIPES) Act of 2016, as amended by the PIPES Act of 2020. A hazardous liquid pipeline that could affect these newly designated areas must be included in an operator's integrity management program.

**Part 195, Amendment #105, 87 FR 20940: REQUIREMENT OF VALVE INSTALLATION AND MINIMUM RUPTURE DETECTION STANDARDS**

PHMSA is revising the Federal Pipeline Safety Regulations applicable to most newly constructed and entirely replaced onshore gas transmission, Type A gas gathering, and

hazardous liquid pipelines with diameters of 6 inches or greater. In the revised regulations, PHMSA requires operators of these lines to install rupture-mitigation valves (i.e., remote-control or automatic shut-off valves) or alternative equivalent technologies, and establishes minimum performance standards for those valves' operation to prevent or mitigate the public safety and environmental consequences of pipeline ruptures. This final rule establishes requirements for rupture-mitigation valve spacing, maintenance and inspection, and risk analysis. The final rule also requires operators of gas and hazardous liquid pipelines to contact 9- 1-1 emergency call centers immediately upon notification of a potential rupture and conduct post-rupture investigations and reviews. Operators must also incorporate lessons learned from such investigations and reviews into operators' personnel training and qualifications programs, and in design, construction, testing, maintenance, operations, and emergency procedure manuals and specifications. PHMSA is promulgating these regulations in response to congressional directives following major pipeline incidents where there were significant environmental consequences or losses of human life. The revisions are intended to achieve better rupture identification, response, and mitigation of safety, greenhouse gas, and environmental justice impacts.

**Part 195, Amendment #106, 88 FR 50056: REQUIREMENT OF VALVE  
INSTALLATION AND MINIMUM RUPTURE DETECTION STANDARDS: TECHNICAL  
CORRECTIONS**

PHMSA is issuing editorial and technical corrections clarifying the regulations promulgated in its April 8, 2022, final rule titled "Pipeline Safety: Requirement of Valve Installation and Minimum Rupture Detection Standards" for certain gas, hazardous liquid, and carbon dioxide pipelines. The final rule also codifies the results of judicial review of that final rule.

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

**Public Service Commission  
Emerging Threats  
Rulemaking**

**Case No. PU-23-264**

**Statements on Regulatory Analysis, Small Entity Analysis,  
and Takings Assessment**

**August 28, 2023**

The Commission is proposing amendments to Article 69-09-12 of the North Dakota Administrative Code, Public Utility Division, Resource Plans and Cybersecurity. The purpose of the proposed amendments is to address emerging threats and address physical as well as cyber security.

The proposed rule is the result of new legislation and is not pursuant to emergency rulemaking.

**Regulatory Analysis**

N.D.C.C. § 28-32-08 requires an agency to prepare a regulatory analysis if the rule is expected to have an impact on the regulated community in excess of fifty thousand dollars, or if one is requested as provided in the law. The law provides, in part:

1. The regulatory analysis must contain:
  - a. A description of the classes of persons who probably will be affected by the proposed rule, including classes that will bear the costs of the proposed rule and classes that will benefit from the proposed rule;
  - b. A description of the probable impact, including economic impact, of the proposed rule;
  - c. The probable costs to the agency or commission of the implementation and enforcement of the proposed rule and any anticipated effect on state revenues; and
  - d. A description of any alternative methods for achieving the purpose of the proposed rule that were seriously considered by the agency or commission and the reasons why the methods were rejected in favor of the proposed rule.

A regulatory analysis has not been requested, and the proposal is not expected to impact the regulated community by an amount in excess of fifty thousand dollars (\$50,000.00). The proposed rule amending cyber security to include physical security is not expected to add any additional costs. If any costs are added, the costs should not be over \$50,000 as most of the data required to be reported is already collected and reported by the Electric Public Utilities.

- a. The class that would be affected is Electric Public Utilities.

The class to benefit from this is the general public.

- b. The proposed rule would require data to be submitted in an annual report from data already collected by the public utility.
- c. There are no perceived costs to the agency or commission of the implementation and enforcement of the proposed rule and any anticipated effect on state revenues.
- d. No alternatives were considered or rejected.

### **Takings Assessment**

N.D.C.C. § 28-32-09 requires an entity to prepare a written assessment of the constitutional takings implications of a proposed rule that may limit the use of private real property.

The proposed amendments are not anticipated to limit the use of private property.

### **Small Entity Regulatory Analysis**

N.D.C.C. § 28-32-08.1 requires that before adoption of any proposed rule, the adopting agency prepare a regulatory analysis in which the agency considers options to minimize adverse impact on small entities. The law provides, in part:

2. The agency shall consider each of the following methods of reducing impact of the proposed rule on small entities:
  - a. Establishment of less stringent compliance or reporting requirements for small entities;
  - b. Establishment of less stringent schedules or deadlines for compliance or reporting requirements for small entities;

- c. Consolidation or simplification of compliance or reporting requirements for small entities;
- d. Establishment of performance standards for small entities to replace design or operational standards required in the proposed rule; and
- e. Exemption of small entities from all or any part of the requirements contained in the proposed rule.

The proposed rules impact three investor-owned utilities, Montana-Dakota Utilities Company, Otter Tail Power Company, and Northern States Power Company. No small businesses, organizations, or political subdivisions are impacted by the proposed rules.

### **Small Entity Economic Impact Statement**

The adoptions of these rules will not have an adverse impact on small entities. None of the rule changes would negatively impact them in a way that would require the commission to establish less stringent requirements, consolidation or simplification of reporting, establishing separate performance standards or exemptions from the proposed rule.

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

**Public Service Commission**  
**Pipeline Safety**  
**Rulemaking**

**Case No. GS-23-289**

Fiscal Note

October 27, 2023

Adoption of the proposed rules in the captioned case are not expected to have any impact on State expenditures or revenues.

**STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION**

**Public Service Commission  
Emerging Threats  
Rulemaking**

**Case No. PU-23-264**

**FISCAL NOTE**

**October 27, 2023**

Adoption of the proposed rules in the captioned case are not expected to have any impact on State expenditures or revenues.

## Thompson, Pamela J.

---

**From:** Thompson, Pamela J.  
**Sent:** Wednesday, September 13, 2023 10:00 AM  
**To:** Satrom, Bernie L.; Karls, Karen; Klemin, Lawrence; Lefor, Mike; Monson, David C.; Conley, Cole  
**Cc:** Johnson, Brian L.  
**Subject:** Proposed Rules from the ND Public Service Commission  
**Attachments:** 1353.pdf; Letter to HB 1353 Bill Sponsors.pdf; Letter to Legislative Council Enclosing Commission Motion, Proposed Rules, and Full Notice.pdf

Rep. Satrom, Rep. Karls, Rep. Klemin, Rep. Lefor, Rep. Monson, and Sen. Conley,

Attached are:

- Letter to HB 1353 Bill Sponsors
- Packet to the ND Legislative Council which includes:
  - Motion to propose to adopt and amend rules by the ND Public Service Commission during the 06 September Commission Meeting;
  - Proposed administrative rules; and
  - Full Notice.

Thank you,

**Pamela Thompson**

*Executive Assistant*

701.328.4096 • [pthompson@nd.gov](mailto:pthompson@nd.gov) • [www.psc.nd.gov](http://www.psc.nd.gov)

NORTH  
**Dakota** | Public Service Commission  
Be Legendary.™



---

This transmission, email and any files transmitted with it, may be: (1) subject to the Attorney-Client Privilege, (2) an attorney work product, or (3) strictly confidential under federal or state law. If you are not the intended recipient of this message, you may not use, disclose, print, copy or disseminate this information. If you have received this transmission in error, notify the sender (only) and delete the message. This message may also be subject to disclosure under the North Dakota Open Records Laws.

- 8 GS-23-289 Filed 09/13/2023 Pages: 12  
Email to Sponsors of HB 1353 with Letter, Motion, Proposed Rules and Notice  
Public Service Commission
- 8 PU-23-264 Filed 09/13/2023 Pages: 12  
Email to Sponsors of HB 1353 with Letter, Motion, Proposed Rules and Notice  
Public Service Commission

**Sixty-eighth Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 3, 2023**

HOUSE BILL NO. 1353  
(Representatives Satrom, Karls, Klemin, Lefor, Monson)  
(Senator Conley)

AN ACT to amend and reenact section 49-05-17 of the North Dakota Century Code, relating to resource planning.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. AMENDMENT.** Section 49-05-17 of the North Dakota Century Code is amended and reenacted as follows:

**49-05-17. Resource planning.**

1. An integrated resource plan must include:
  - a. The electric public utility's forecast of demand for electric generation supply over the planning period with recommended plans for meeting the forecasted demand plus an additional planning reserve margin for ensuring adequate and sufficient reliability of service; and
  - b. Any additional information the commission requests related to how an electric public utility intends to provide sufficient electric generation service for use by retail customers within the state over the planning period.
2. An electric public utility shall include a least cost plan for providing adequate and reliable service to retail customers which is consistent with the provisions of this title and the rules and orders adopted and issued by the commission.
3. The commission may consider the qualitative benefits and provide value to a base-load generation and load-following generation resource and its proximity to load.
4. The commission may contract or consult with an expert to evaluate qualitative benefits of resources and to review reliability planning. The commission may require an electric public utility to pay a fee necessary for completion of an evaluation in an amount not to exceed two hundred fifty thousand dollars.
  - a. If additional funds are necessary for completion of the evaluation, upon approval of the emergency commission, the electric public utility shall pay the additional fees reasonably necessary for the completion.
  - b. If the evaluation applies to more than one electric public utility, the commission may assess each electric public utility the proportionate share of the fee.
5. An electric public utility shall report annually to the commission on ~~cybersecurity preparedness, including an assessment of~~ emerging threats and efforts taken by the electric public utility to implement physical security and cybersecurity measures. The commission ~~may~~shall limit access to records and portions of a meeting relating to physical security and cybersecurity preparedness.

Dennis Johnson  
Speaker of the House

Tammy Miller  
President of the Senate

Bull J. Reich  
Chief Clerk of the House

Mandi Morgan  
Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-eighth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1353.

House Vote:      Yeas 90                  Nays 0                  Absent 4

Senate Vote:      Yeas 47                  Nays 0                  Absent 0

Bull J. Reich  
Chief Clerk of the House

Received by the Governor at 3:00 PM. on April 7, 2023.

Approved at 2:27 PM. on April 11, 2023.

Doug Burgum  
Governor

Filed in this office this 12th day of April, 2023,

at 12:03 o'clock P. M.

Michael Howe  
Secretary of State



# Public Service Commission

## State of North Dakota

---

### COMMISSIONERS

Randy Christmann  
Sheri Haugen-Hoffart  
Julie Fedorchak

600 East Boulevard, Dept. 408  
Bismarck, North Dakota 58505-0480  
Web: [www.psc.nd.gov](http://www.psc.nd.gov)  
E-mail: [ndpsc@nd.gov](mailto:ndpsc@nd.gov)  
Phone: 701-328-2400  
ND Toll Free: 1-877-245-6685  
Fax: 701-328-2410  
TDD: 800-366-6888 or 711

September 13, 2023

Rep. Satrom, Rep. Karls, Rep. Klemin, Rep. Lefor, Rep. Monson, and Sen. Conley,

Re: Rulemaking driven by HB 1353

Dear Rep. Satrom, Rep. Karls, Rep. Klemin, Rep. Lefor, Rep. Monson, and Sen. Conley:

I am writing on behalf of the North Dakota Public Service Commission to thank you for introducing HB 1353 during the recent legislative session.

Enclosed is a copy of the revised rules our North Dakota Public Service Commission is proposing and a copy of the Full Notice indicating the date, time, and place for the hearing on these proposed rule changes.

Please do not hesitate to contact me should you have any further input or questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Brian Johnson".

Brian Johnson  
Special Assistant Attorney General Bar ID 07937  
North Dakota Public Service Commission  
600 East Boulevard Avenue Dept. 408  
Bismarck ND, 58505  
701-328-2407

Enclosures



# Public Service Commission

## State of North Dakota

---

### COMMISSIONERS

Randy Christmann  
Sheri Haugen-Hoffart  
Julie Fedorchak

600 East Boulevard, Dept. 408  
Bismarck, North Dakota 58505-0480  
Web: [www.psc.nd.gov](http://www.psc.nd.gov)  
E-mail: [ndpsc@nd.gov](mailto:ndpsc@nd.gov)  
Phone: 701-328-2400  
ND Toll Free: 1-877-245-6685  
Fax: 701-328-2410  
TDD: 800-366-6888 or 711

September 13, 2023

Ms. Liz Fordahl  
Assistant Code Revisor  
North Dakota Legislative Council  
State Capitol  
600 East Boulevard, 2nd Floor  
Bismarck, ND 58505-0360

Dear Ms. Fordahl:

The Notice of Intent to **Amend** Administrative Rules 69-09-03, and 69-09-12 and a copy of the proposed rules are enclosed as required by N.D.C.C. § 28-32-10(1).

Sincerely,

A handwritten signature in blue ink, appearing to be "BJ", written over a horizontal line.

Brian Johnson  
Special Assistant Attorney General Bar ID 07937  
North Dakota Public Service Commission  
600 East Boulevard Avenue Dept. 408  
Bismarck ND, 58505  
701-328-2407

Enclosures

**APPROVED**  
DATE: 09/06/2023  
DJT

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

**Public Service Commission  
Pipeline Safety  
Rulemaking**

**Case No. GS-23-289**

**Public Service Commission  
Emerging Threats  
Rulemaking**

**Case No. PU-23-264**

**MOTION**

**September 6, 2023**

I move the Commission propose to adopt and amend the North Dakota Administrative Code as attached, issue a Notice of Intent to Amend Administrative Rules and Notice of Public Hearing, and issue an abbreviated Notice of Intent to Amend Administrative Rules and Notice of Public Hearing for publication in each official county newspaper throughout the state as required by law, in Public Service Commission, Pipeline Safety, Rulemaking, Case No. GS-23-289, and Public Service Commission, Emerging Threats, Rulemaking, Case No. PU-23-264.

Section 69-09-03  
Section 69-09-12

- 1 GS-23-289 Filed 09/06/2023 Pages: 1  
Commission Motion to Propose Revisions to ND Admin. Code and Issue Notices  
Public Service Commission
- 1 PU-23-264 Filed 09/06/2023 Pages: 1  
Commission Motion to Propose Revisions to ND Admin. Code and Issue Notices  
Public Service Commission

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

**Public Service Commission**  
**Pipeline Safety**  
**Rulemaking**

**Case No. GS-23-289**

**CHAPTER 69-09-03**  
**PIPELINE SAFETY**

Section  
69-09-03-01 Safety  
69-09-03-02 Adoption of Regulations

**69-09-03-01. Safety.**

Pipeline facilities used for the intrastate distribution and transmission of natural and other gas, liquefied natural gas, or hazardous liquids shall be designed, constructed, and operated to meet the safety standards set forth in regulations of the United States department of transportation adopted in section 69-09-03-02. The commission may require such proof of compliance as it deems necessary.

**History:** Amended effective July 1, 1986; January 1, 1988; April 1, 2015;\_\_\_\_\_.

**General Authority:** NDCC 28-32-02, 49-02-04

**Law Implemented:** NDCC 49-02-01.2, 49-02-04

**69-09-03-02. Adoption of regulations.**

The following parts of title 49, Code of Federal Regulations in effect as of ~~December 1, 2021~~ September 6, 2023, are adopted by reference:

1. Part 190 - Pipeline Safety Programs and Rulemaking Procedures.
2. Part 191 - Transportation of Natural Gas and Other Gas by Pipeline, Annual Reports, Incident Reports, and Safety-Related Condition Reports.
3. Part 192 - Transportation of Natural and Other Gas by Pipeline: Minimum Federal Safety Standards.
4. Part 193 - Liquefied Natural Gas Facilities: Federal Safety Standards.
5. Part 194 - Response Plans for Onshore Oil Pipelines.
6. Part 195 - Transportation of Hazardous Liquids by Pipeline.

7. Part 199 - Drug and Alcohol Testing.

Copies of these regulations may be obtained from:

Public Service Commission  
600 East Boulevard, Dept. 408  
Bismarck, ND 58505-0480

**History:** Effective June 1, 1984; amended effective July 1, 1986; January 1, 1988; March 1, 1990; February 1, 1992; August 1, 1993; August 1, 1994; February 1, 1996; July 1, 1997; July 1, 1998; September 1, 1999; August 1, 2000; January 1, 2002; November 1, 2003; May 1, 2005; July 1, 2006; April 1, 2008; January 1, 2010; April 1, 2012; April 1, 2015; October 1, 2016; July 1, 2018; July 1, 2020; January 1, 2021; October 1, 2022;\_\_\_\_\_.

**General Authority:** NDCC 28-32-02

**Law Implemented:** NDCC 49-02-01.2

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

**Public Service Commission**  
**Emerging Threats**  
**Rulemaking**

**Case No. PU-23-264**

CHAPTER 69-09-12

RESOURCE PLANS AND ~~CYBERSECURITY~~SECURITY

Section

69-09-12-01 Definitions

69-09-12-02 Resource Plan Procedure

69-09-12-03 Resource Plan Attributes

69-09-12-04 Filing Requirements

69-09-12-05 Security

69-09-12-01. Definitions.

1. "Resource plan" means a set of resource options an electric public utility plans to use to meet

the electric capacity and energy requirements of the utility's customers over a planning horizon, including an explanation of the electric supply and demand circumstances when each resource option would be used to meet the capacity and energy needs in an adequate and reliable manner.

2. "Externality" means numerical costs or quantified values assigned to represent environmental costs that are not internalized in the cost of production, or the market price of electricity from a particular electric resource or the alleged costs of complying with future environmental laws or regulations that have not yet been enacted.

3. "Renewable integration cost" means the cost of measures to help meet the incremental needs of the system as more renewable energy is added to the resource mix.

4. "Unserved energy" means the amount of end-customer demand measured in megawatt-hours that cannot be supplied due to a deficiency of generation either generated or imported by the electric public utility or transmission capacity.

5. "Security" means physical security and cybersecurity.

History: Effective January 1, 2023; amended effective \_\_\_\_\_.

General Authority: NDCC 49-02-04

Law Implemented: NDCC 49-05-04.4, 49-05-17

69-09-12-05. Security.

1. An electric public utility shall meet with the commission annually to report on ~~cybersecurity~~security preparedness.

2. The report must provide:

a. Information on the policies, procedure, and process used to inform the management of ~~cybersecurity~~security risk;

b. Information on any critical technology, constraints related to procurement, supply chain risk, impact of compromise to the supply chain, and controls to manage risk associated with dependency on external entities;

c. An assessment of emerging threats and efforts taken by the electric public utility to implement ~~cybersecurity~~security measures;

d. A description of the process used to support compliance with applicable standards, laws, regulations, and best practices;

e. A description of the policies and protections used to ensure the security of information and operational systems and safeguard against loss of confidential information;

f. Information on activities to monitor, detect, and analyze information related to ~~cybersecurity~~security threats;

g. Information on the systems used for collaboration and communication of information and intelligence sharing;

h. Information on activities used to address a detected ~~cybersecurity~~security incident, contain impacts, limit potential damage, and manage consequences of a ~~cybersecurity~~security incident;

i. Information on any plans to maintain resilience and business continuity, timely recovery to normal operations, and corrective actions after occurrence of an incident;

j. Information or plans for asset sharing with other electric public utilities and electrical cooperatives to maintain services in the event of a security incident;

k. Information on tabletop and field training exercises regarding security;

3. The commission may close the meeting to discuss the cybersecurity report, unless the commission orders otherwise.

History: Effective January 1, 2023: amended effective \_\_\_\_\_.

General Authority: NDCC 49-02-04

Law Implemented: NDCC 49-05-17

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

**Public Service Commission  
Pipeline Safety  
Rulemaking**

**Case No. GS-23-289**

**Public Service Commission  
Emerging Threats  
Rulemaking**

**Case No. PU-23-264**

**NOTICE OF INTENT TO ADOPT AND AMEND ADMINISTRATIVE RULES AND  
NOTICE OF PUBLIC HEARING**

**September 6, 2023**

**PLEASE TAKE NOTICE** that the North Dakota Public Service Commission will hold a public hearing to address proposed amendments to N.D. Admin. Code **69-09-12**, and N.D. Admin. Code **69-09-03**.

**A public hearing** will be held on the proposed rules at **10:30 a.m. Central Time on October 10, 2023, in the Commission Hearing Room, 12th floor, State Capitol, Bismarck, North Dakota**. Written comments may be submitted to the Public Service Commission until the close of business on **October 20, 2022**.

The proposed adoption and revisions to the North Dakota Administrative Code are as follows:

**Case No. GS-23-289 - Section 69-09-03-01 and Section 69-09-03-02 – Pipeline Safety**

The purpose of this amendment is to adopt by reference the most recent amendments to pipeline safety regulations adopted by the United States Department of Transportation, Pipeline and Hazardous Materials Safety Administration (PHMSA). This rule change adopts amendments to safety regulations that have been adopted by PHMSA since December 1, 2021, current to September 6, 2023. The proposed change is not expected to have an impact on the regulated community in excess of \$50,000.

**Case No. PU-23-264 - Section 69-09-12-01 and Section 69-09-12-05 – Resource Plans and Cyber Security**

3 GS-23-289 Filed 09/06/2023 Pages: 2  
(Full) Notice of Intent to Adopt and Amend Administrative Rules and Notice of Public Hearing  
Public Service Commission

3 PU-23-264 Filed 09/06/2023 Pages: 2  
(Full) Notice of Intent to Adopt and Amend Administrative Rules and Notice of Public Hearing  
Public Service Commission

The purpose of this amendment is to change cybersecurity to Security which means physical and cyber security. The proposed change is not expected to have an impact on the regulated community in excess of \$50,000.

The proposed rulemaking implements House Bill 1353 enacted by the 68<sup>th</sup> Legislative Session, relating to Resource Planning and the annual reporting requirements an electric public utility shall report each year to include physical security as well as cyber security.

The proposed rules and amendments may be reviewed at the Public Service Commission's offices on the 12<sup>th</sup> floor of the State Capitol, 600 East Boulevard Ave, Dept. 408, Bismarck, North Dakota. A copy of the proposed rules or amendments and/or a regulatory analysis may be requested by writing the above address, emailing [ndpsc@nd.gov](mailto:ndpsc@nd.gov), or calling 701-328-2400, toll free 1-877-245-6685, Relay North Dakota TTY 1-800-366-6888. This information is also available on the Commission's web site at [www.psc.nd.gov](http://www.psc.nd.gov) under "Formal Actions/Case Search".

Interested persons may attend and submit comments at the hearing. Oral or written comments on the proposed rules may be submitted to the above address, email and phone numbers. Oral and written comments received by the close of business on **October 20, 2023**, will be fully considered.

If you plan to attend the public hearing and will need special facilities or assistance relating to a disability, please notify the Public Service Commission at the above telephone number or address at least 24 hours prior to the public hearing.

**PUBLIC SERVICE COMMISSION**

  
\_\_\_\_\_  
Sheri Haugen-Hoffart  
Commissioner

  
\_\_\_\_\_  
Randy Christmann  
Chair

  
\_\_\_\_\_  
Julie Fedorchak  
Commissioner

**Bauske, Shelly A.**

---

**From:** Bauske, Shelly A.  
**Sent:** Wednesday, September 27, 2023 5:35 PM  
**Subject:** ND Public Service Commission Pipeline Safety Rulemaking Notice of Public Hearing - Case No. GS-23-289 - Please See Attached  
**Attachments:** Notice of Public Hearing and Proposed Rules - Pipeline Safety.pdf

Shelly Bauske  
Public Service Commission  
600 E Boulevard Ave Dept 408  
Bismarck ND 58505-0480  
701-328-4070  
701-328-2410 (fax)  
[sbauske@nd.gov](mailto:sbauske@nd.gov)

PU- RMB; PU- RML

michael.mcgrath@alliancepipeline.com  
Michael McGrath  
Alliance Pipeline L.P.

mihennigan@marathonpetroleum.com  
Mike Hennigan  
Andeavor Field Services LLC

tminutillo@marathonpetroleum.com  
Anthony Minutillo  
Andeavor Field Services LLC

scott.seibert@auxsable.com  
Scott Seibert  
Aux Sable Midstream LLC  
6138 74th Avenue NW  
Palermo ND 58769

bob.bachmeier@auxsable.com  
Bob Bachmeier  
Aux Sable Midstream LLC  
6138 74th Avenue NW  
Palermo ND 58769

doug.thacker@truecos.com  
Doug Thacker  
Belle Fourche Pipeline Co

bmcowell@boemidstream.com  
Brandon McDowell  
Boe Midstream

ken.dockweiler@truecos.com  
Ken Dockweiler  
Bridger Pipeline LLC

dwerth@calibermidstream.com  
Daniel Werth  
Caliber Bear Den Interconnect LLC

dwerth@calibermidstream.com  
Daniel Werth  
Caliber Midstream

aporter@calibermidstream.com  
Allison Porter  
Caliber Midstream

JDAugereau@calibermidstream.com  
Jonathan D'Augereau  
Caliber North Dakota LLC  
1805 Shea Center Dr Ste 120  
Highlands Ranch CO 80129

justin.davidson@crestwoodlp.com  
Justin Davidson  
Crestwood Dakota Pipelines LLC

dean.volesky@crestwoodlp.com  
Dean Volesky  
Crestwood Dakota Pipelines LLC

robert.pettus@crestwoodlp.com  
Robert Pettus  
Crestwood Midstream Partners LP

jmorrison@crowleyfleck.com  
John Morrison  
Crowley Fleck Attorneys

dalej@bepc.com  
Dale Johnson  
Dakota Gasification Company  
420 County Road 26  
Beulah ND 58523-9400

coberry@bepc.com  
Claude O'Berry  
Dakota Gasification Company  
420 County Road 26  
Beulah ND 58523-9400

KDutchuk@bepc.com  
Kurt Dutchuk  
Dakota Gasification Company  
420 County Road 26  
Beulah ND 58523-9400

kristopher@dakota-midstream.com  
Kristopher Coe  
Dakota Midstream

tlarson@greatermngas.com  
Taylor Larson  
Dakota Natural Gas, LLC

gpalmer@greatermngas.com  
Greg Palmer  
Dakota Natural Gas, LLC

jimmy.cross@enablemidstream.com  
Jimmy Cross  
Enable Bakken Crude Services, LLC

lbender@fredlaw.com  
Lawrence Bender  
Fredrikson & Byron P.A.

kmorgan@gmellc.com  
Kerry Morgan  
Grayson Mill Operating LLC

patrick.darras@mdu.com  
Patrick Darras  
Great Plains Natural Gas Co.  
400 N 4th St  
Bismarck ND 58501

nick.groves@eogresources.com  
Nicholas Groves  
Hawthorn Oil Transportation (North Dakot

slarson@hess.com  
Shane Larson  
Hess ND

mbast@hess.com  
Michael Bast  
Hess North Dakota Pipelines LLC

stephen.dines@kindermorgan.com  
Stephen Dines  
Hiland Crude, LLC

ted.meinhold@kindermorgan.com  
Ted Meinhold  
Hiland Operating LLC  
10370 88th St. NW  
Colorado Springs CO 58755

stephen.dines@kindermorgan.com  
Stephen Dines  
Hiland Operating LLC  
10370 88th St. NW  
Colorado Springs CO 58755

kranda@kelschlaw.com  
Todd Kranda  
Kelsch Kelsch Ruff & Kranda  
P.O. Box 1266  
Mandan ND 58554-1266

eric.bengtson@lmsllc.com  
Eric Bengtson  
Liberty Midstream Solutions, LLC  
1200 17th Street Suite 2200  
Denver CO 80202

debbie.buck@mdu.com  
Debbie Buck  
MDU North Dakota  
400 North 4th Street  
Bismarck ND 58501

patrick.darras@mdu.com  
Patrick Darras  
MDU North Dakota  
400 North 4th Street  
Bismarck ND 58501

TMinutillo@MPLX.com  
Tony Minutillo  
MPLX LP - 40149  
1515 Arapahoe St Ste 1600  
Denver CO 80202

jameson.gowin@xtoenergy.com  
Jameson Gowin  
Nesson Gathering Company  
325 22nd Avenue East  
Williston ND 58801

holly.camilli@xtoenergy.com  
Holly Camilli  
Nesson Gathering Company  
325 22nd Avenue East  
Williston ND 58801

blazei@alkanenrg.com  
Ryan Blazei  
North Dakota LNG, LLC  
100 Washington Ave S Ste 15  
Minneapolis MN 55401

lwilliams@northstarmidstream.com  
Lori Williams  
NST Express LLC

jswaren@oasispetroleum.com  
Jason Swaren  
Oasis Petroleum North America  
6205 16th Avenue W  
Williston ND 58801

marlon.cockerell@oneok.com  
Marlon Cockerell  
ONEOK Rockies Midstream  
1601 Bennie Pierre Road  
Sidney MT 59270

kevin.burdick@oneok.com  
Kevin Burdick  
ONEOK Rockies Midstream  
1601 Bennie Pierre Road  
Sidney MT 59270

keith.elliott@eogresources.com  
Keith Elliott  
Pecan Pipeline (North Dakota), Inc.  
1111 Bagby St Sky Lobby II  
Houston TX 77002

agarcia@summitmidstream.com  
Alfred Garcia Jr.  
Summit Midstream Partners, LLC

thuffer@targaresources.com  
Tim Huffer  
Targa Resources Operating LLC

david.busby@nexteraenergy.com  
David Busby  
USG Midstream Bakken LLC  
601 Travis Ste 1900  
Houston TX 77002

gnunez@paradigmmidstream.com  
Griff Nunez  
Van Hook Gathering Services, LLC  
545 John Carpenter Freeway Ste 800  
Irving TX 75062

luke.a.litteken@xcelenergy.com  
Luke Litteken  
Xcel Energy/NSP North Dakota  
825 Rice Street  
St. Paul MN 55117

mkukuk@oasispetroleum.com  
Michael Kukuk  
Oasis Petroleum North America  
6205 16th Avenue W  
Williston ND 58801

wjanecek@outriggerenergy.com  
Wade Janecek  
OE2 North LLC  
1200 17th St Ste 900  
Denver CO 80202

karen.perez@oneok.com  
Karen Perez  
ONEOK Rockies Midstream  
1601 Bennie Pierre Road  
Sidney MT 59270

tjanik@paradigmmidstream.com  
Thomas Janik  
Paradigm Midstream Services - ND, LLC

ngicuhi@paalp.com  
Ngiabi Gicuhi  
Plains Pipeline, L.P.

hburks@targaresources.com  
Dwayne Burks  
Targa Badlands LLC  
1000 Louisiana Street Suite 4300  
Houston Tx 77002-5036

sdifonzo@targaresources.com  
Sara DiFonzo  
Targa Resources Operating LLC

william.meyer@nexteraenergy.com  
William Meyer  
USG Wheatland Pipeline, LLF

elizabeth.m.kallberg@xcelenergy.com  
Lisa Kallberg  
Xcel Energy/NSP North Dakota  
825 Rice Street  
St. Paul MN 55117

**Bauske, Shelly A.**

---

**From:** Microsoft Outlook  
**To:** gnunez@paradigmmidstream.com; tjanik@paradigmmidstream.com  
**Sent:** Wednesday, September 27, 2023 5:35 PM  
**Subject:** Undeliverable: ND Public Service Commission Pipeline Safety Rulemaking Notice of Public Hearing - Case No. GS-23-289 - Please See Attached



Your message couldn't be delivered to multiple recipients.

The recipients weren't found at  
[paradigmmidstream.com](https://paradigmmidstream.com).

sbauske	Office 365	Multiple recipients
<b>Action Required</b>		Recipients
Unknown To address		

Couldn't deliver the message to the following recipients:  
gnunez@paradigmmidstream.com, tjanik@paradigmmidstream.com

## How to Fix It

The address might be misspelled or might not exist. Try one or more of the following:

- **Retype the recipient's address, then resend the message -** If you're using Outlook, open this non-delivery report message and click **Send Again** from the menu or ribbon. In Outlook on the web, select this message, and then click the "**To send this message again, click here.**" link located just above the message preview window. In the To or Cc line, delete and then retype the entire recipient's address (ignore any address suggestions). After typing the complete address, click **Send** to resend the message. If you're using an email program other than Outlook or Outlook on the web, follow its standard way for resending a message. Just be sure to delete and retype the recipient's entire address before resending it.
- **Remove the recipient from the recipient Auto-Complete List, then resend the message -** If you're using Outlook or Outlook on the web, follow the steps in the "Remove the recipient from the recipient Auto-Complete List" section of

**Bauske, Shelly A.**

---

**From:** Microsoft Outlook  
**To:** aporter@calibermidstream.com; dwerth@calibermidstream.com  
**Sent:** Wednesday, September 27, 2023 5:35 PM  
**Subject:** Undeliverable: ND Public Service Commission Pipeline Safety Rulemaking Notice of Public Hearing - Case No. GS-23-289 - Please See Attached



Your message couldn't be delivered to multiple recipients.

The recipients weren't found at  
[calibermidstream.com](http://calibermidstream.com).

**sbauske**

**Office 365**

**Multiple recipients**

**Action Required**

Recipients

Unknown To address

Couldn't deliver the message to the following recipients:  
aporter@calibermidstream.com, dwerth@calibermidstream.com

## How to Fix It

The address might be misspelled or might not exist. Try one or more of the following:

- **Retype the recipient's address, then resend the message -** If you're using Outlook, open this non-delivery report message and click **Send Again** from the menu or ribbon. In Outlook on the web, select this message, and then click the "**To send this message again, click here.**" link located just above the message preview window. In the To or Cc line, delete and then retype the entire recipient's address (ignore any address suggestions). After typing the complete address, click **Send** to resend the message. If you're using an email program other than Outlook or Outlook on the web, follow its standard way for resending a message. Just be sure to delete and retype the recipient's entire address before resending it.
- **Remove the recipient from the recipient Auto-Complete List, then resend the message -** If you're using Outlook or Outlook on the web, follow the steps in the "Remove the recipient from the recipient Auto-Complete List" section of

## Bauske, Shelly A.

---

**From:** Mail Delivery System <mailer-daemon@ppe-hosted.com>  
**To:** bmcldowell@boemidstream.com  
**Sent:** Wednesday, September 27, 2023 5:35 PM  
**Subject:** Undeliverable: Undelivered Mail Returned to Sender

### Delivery has failed to these recipients or groups:

[bmcldowell@boemidstream.com](mailto:bmcldowell@boemidstream.com)

The address you sent your message to wasn't found at the destination domain. It might be misspelled or it might not exist. Try to fix the problem by doing one or more of the following:

1. Send the message again, but before you do, delete and retype the address. If your email program automatically suggests an address to use, don't select it.
2. Clear the recipient AutoComplete cache in your email program by following the steps in this article: [Status code 5.1.1](#). Then resend the message, but before you do, be sure to delete and retype the address.
3. Contact the recipient by some other means (by phone, for example) to confirm you're using the right address. Ask them if they've set up an email forwarding rule that could be forwarding your message to an incorrect address.

The following organization rejected your message: mx1.smtp.exch080.serverdata.net.

### Diagnostic information for administrators:

Generating server: dispatch1-us1.ppe-hosted.com

bmcldowell@boemidstream.com  
mx1.smtp.exch080.serverdata.net  
Remote server returned '554 5.1.1 <mx1.smtp.exch080.serverdata.net #5.1.1 smtp; 550 5.1.1 <bmcldowell@boemidstream.com>: Recipient address rejected: User unknown in relay recipient table>'

### Original message headers:

Return-Path: <sbauske@nd.gov>  
Received: from us3-mdac22-33.ut7.mdlocal (unknown [10.7.66.143])  
by dispatch1-us1.ppe-hosted.com (PPE Hosted ESMTTP Server) with ESMTTP id E64DE200CB  
for <bmcldowell@boemidstream.com>; Wed, 27 Sep 2023 22:34:49 +0000 (UTC)  
Authentication-Results: ppe-hosted.com; spf=pass smtp.mailfrom=nd.gov;  
dkim=pass header.d=nd.gov header.s=selector1; dmarc=pass header.from=nd.gov  
header.policy=none;  
X-Virus-Scanned: Proofpoint Essentials engine  
Received: from mx1-us1.ppe-hosted.com (unknown [10.7.64.105])

## Bauske, Shelly A.

---

**From:** postmaster@enbridge.onmicrosoft.com  
**To:** michael.mcgrath@alliancepipeline.com  
**Sent:** Wednesday, September 27, 2023 5:35 PM  
**Subject:** Undeliverable: [External] ND Public Service Commission Pipeline Safety Rulemaking Notice of Public Hearing - Case No. GS-23-289 - Please See Attached

### Delivery has failed to these recipients or groups:

[michael.mcgrath@alliancepipeline.com](mailto:michael.mcgrath@alliancepipeline.com)

Your message was rejected by the recipient email server. Please check the recipient's email address and try resending your message, or contact the recipient directly. For more tips to help resolve this issue, see [DSN code 5.1.0 in Exchange Online - Office 365](#). If the problem continues, contact your email admin.

### Diagnostic information for administrators:

Generating server: SA3PR13MB6441.namprd13.prod.outlook.com

michael.mcgrath@alliancepipeline.com

Remote server returned '554 5.1.0 < #5.1.10 smtp;550 5.1.10 RESOLVER.ADR.RecipientNotFound; Recipient michael.mcgrath@alliancepipeline.com not found by SMTP address lookup>'

### Original message headers:

ARC-Seal: i=2; a=rsa-sha256; s=arcselector9901; d=microsoft.com; cv=fail;

b=jt2cGmD9OW3kJV0AF4mLdgqKGh7mxz9hxWkaZZpTlzMMWRp3yrjNDzX1IHjYJmJOD10QoAqfZ3mmbwJcmUoKlMyF BgtRAeMY37OmGyk+k5a0m1OF72M19vhSI51I90YYRbhMDJGXKaeZAD88fRbb9xuHp80e81JmGOzqyIymSDMaP2bzz Ik3YalJopyRn0TsyliDC00HcyDNYTqYROhV4Xlqm01EmDw2Jv1Dhc0ADKCNj1ZwM00MCQAaE32TmXHsOtiqX6LYg2 sVwCjHtw4QklG//Vc03ovU7NzR+KfUI/Km3mKq9007rNxxCdUqMOJzRXWeFIm25yWRiHIt3ckDJPg==

ARC-Message-Signature: i=2; a=rsa-sha256; c=relaxed/relaxed; d=microsoft.com; s=arcselector9901;

h=From:Date:Subject:Message-ID:Content-Type:MIME-Version:X-MS-Exchange-AntiSpam-MessageData-ChunkCount:X-MS-Exchange-AntiSpam-MessageData-0:X-MS-Exchange-AntiSpam-MessageData-1;

bh=+xzrDahHw/Le7ML9VPDlmkvIrIthlMdB5po+VgQukQg=;

b=Ja9UDmDeWSDJx4zbQE+uESbt4Qy9VMZ36rI3C6RHvGWno0Faljc6n7/xxxXPo2R8A5YveR9Z9gWaiTQDi5AWXxb w5I2uKOLblft4kmsvvhvQYRsFT0Dfz8/dVlyAvTMSuTTmg2Ov8NtvkZFuoH3EuS7EJPwxTFGNSSNH93JiXFgUheCB9 pqNxiGHGGP6OakmCQBgnJtSDs5TLT7tdA/7Su4/5/16suc7oN4pEi7PCqu94Pd1kfNu28EPOS128ZLWql7/wtLyYe zK4Uz4hZpi7iHLd+lnD31D4ygbTpH0r7cwXMjLlw3QNPqny2ej0ju5zJHZOeNZTc+WV6JL2GydX0A==

ARC-Authentication-Results: i=2; mx.microsoft.com 1; spf=fail (sender ip is 205.220.182.187) smtp.rcpttodomain=alliancepipeline.com smtp.mailfrom=nd.gov; dmarc=fail (p=none sp=none pct=100) action=none header.from=nd.gov; dkim=fail (signature did not verify) header.d=nd.gov; arc=fail (47)

Received: from YT1P288CA0021.CANP288.PROD.OUTLOOK.COM (2603:10b6:b01::34) by



STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Public Service Commission  
Pipeline Safety  
Rulemaking

Case No. GS-23-289

Public Service Commission  
Emerging Threats  
Rulemaking

Case No. PU-23-264

NOTICE OF INTENT TO ADOPT AND AMEND ADMINISTRATIVE RULES AND  
NOTICE OF PUBLIC HEARING

September 6, 2023

PLEASE TAKE NOTICE that the North Dakota Public Service Commission will hold a public hearing to address proposed amendments to N.D. Admin. Code 69-09-12, and N.D. Admin. Code 69-09-03.

A public hearing will be held on the proposed rules at 10:30 a.m. Central Time on October 10, 2023, in the Commission Hearing Room, 12th floor, State Capitol, Bismarck, North Dakota. Written comments may be submitted to the Public Service Commission until the close of business on October 20, 2022.

The proposed adoption and revisions to the North Dakota Administrative Code are as follows:

**Case No. GS-23-289 - Section 69-09-03-01 and Section 69-09-03-02 – Pipeline Safety**

The purpose of this amendment is to adopt by reference the most recent amendments to pipeline safety regulations adopted by the United States Department of Transportation, Pipeline and Hazardous Materials Safety Administration (PHMSA). This rule change adopts amendments to safety regulations that have been adopted by PHMSA since December 1, 2021, current to September 6, 2023. The proposed change is not expected to have an impact on the regulated community in excess of \$50,000.

**Case No. PU-23-264 - Section 69-09-12-01 and Section 69-09-12-05 – Resource Plans and Cyber Security**

3 GS-23-289 Filed 09/06/2023 Pages: 2  
(Full) Notice of Intent to Adopt and Amend Administrative Rules and Notice of Public Hearing  
Public Service Commission

3 PU-23-264 Filed 09/06/2023 Pages: 2  
(Full) Notice of Intent to Adopt and Amend Administrative Rules and Notice of Public Hearing  
Public Service Commission

The purpose of this amendment is to change cybersecurity to Security which means physical and cyber security. The proposed change is not expected to have an impact on the regulated community in excess of \$50,000.

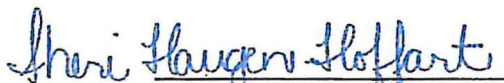
The proposed rulemaking implements House Bill 1353 enacted by the 68<sup>th</sup> Legislative Session, relating to Resource Planning and the annual reporting requirements an electric public utility shall report each year to include physical security as well as cyber security.

The proposed rules and amendments may be reviewed at the Public Service Commission's offices on the 12<sup>th</sup> floor of the State Capitol, 600 East Boulevard Ave, Dept. 408, Bismarck, North Dakota. A copy of the proposed rules or amendments and/or a regulatory analysis may be requested by writing the above address, emailing [ndpsc@nd.gov](mailto:ndpsc@nd.gov), or calling 701-328-2400, toll free 1-877-245-6685, Relay North Dakota TTY 1-800-366-6888. This information is also available on the Commission's web site at [www.psc.nd.gov](http://www.psc.nd.gov) under "Formal Actions/Case Search".

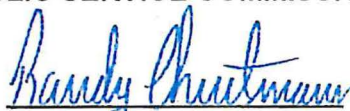
Interested persons may attend and submit comments at the hearing. Oral or written comments on the proposed rules may be submitted to the above address, email and phone numbers. Oral and written comments received by the close of business on **October 20, 2023**, will be fully considered.

If you plan to attend the public hearing and will need special facilities or assistance relating to a disability, please notify the Public Service Commission at the above telephone number or address at least 24 hours prior to the public hearing.

**PUBLIC SERVICE COMMISSION**



Sheri Haugen-Hoffart  
Commissioner



Randy Christmann  
Chair



Julie Fedorchak  
Commissioner

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Public Service Commission  
Pipeline Safety  
Rulemaking

Case No. GS-23-289

**CHAPTER 69-09-03  
PIPELINE SAFETY**

Section  
69-09-03-01 Safety  
69-09-03-02 Adoption of Regulations

**69-09-03-01. Safety.**

Pipeline facilities used for the intrastate distribution and transmission of natural and other gas, liquefied natural gas, or hazardous liquids shall be designed, constructed, and operated to meet the safety standards set forth in regulations of the United States department of transportation adopted in section 69-09-03-02. The commission may require such proof of compliance as it deems necessary.

**History:** Amended effective July 1, 1986; January 1, 1988; April 1, 2015;\_\_\_\_\_.

**General Authority:** NDCC 28-32-02, 49-02-04

**Law Implemented:** NDCC 49-02-01.2, 49-02-04

**69-09-03-02. Adoption of regulations.**

The following parts of title 49, Code of Federal Regulations in effect as of ~~December 1, 2024~~ September 6, 2023, are adopted by reference:

1. Part 190 - Pipeline Safety Programs and Rulemaking Procedures.
2. Part 191 - Transportation of Natural Gas and Other Gas by Pipeline, Annual Reports, Incident Reports, and Safety-Related Condition Reports.
3. Part 192 - Transportation of Natural and Other Gas by Pipeline: Minimum Federal Safety Standards.
4. Part 193 - Liquefied Natural Gas Facilities: Federal Safety Standards.
5. Part 194 - Response Plans for Onshore Oil Pipelines.
6. Part 195 - Transportation of Hazardous Liquids by Pipeline.

7. Part 199 - Drug and Alcohol Testing.

Copies of these regulations may be obtained from:

Public Service Commission  
600 East Boulevard, Dept. 408  
Bismarck, ND 58505-0480

**History:** Effective June 1, 1984; amended effective July 1, 1986; January 1, 1988; March 1, 1990; February 1, 1992; August 1, 1993; August 1, 1994; February 1, 1996; July 1, 1997; July 1, 1998; September 1, 1999; August 1, 2000; January 1, 2002; November 1, 2003; May 1, 2005; July 1, 2006; April 1, 2008; January 1, 2010; April 1, 2012; April 1, 2015; October 1, 2016; July 1, 2018; July 1, 2020; January 1, 2021; October 1, 2022;\_\_\_\_\_.

**General Authority:** NDCC 28-32-02

**Law Implemented:** NDCC 49-02-01.2

## Thompson, Pamela J.

---

**From:** Thompson, Pamela J.  
**Sent:** Wednesday, September 13, 2023 4:39 PM  
**To:** Nisbet, Alex J; Jacobson, Travis; 'Stuart D. Tommerdahl'; cstephenson@otpco.com  
**Cc:** Johnson, Brian L.  
**Subject:** ND PSC Proposed Rules  
**Attachments:** Proposed Administrative Rules.pdf; Full Notice.pdf

*RE: Proposed Rules PU-23-264  
Emerging Threats*

Attached are the proposed administrative rules; and Full Notice approved by the Public Service Commission during the 06 September Commission Meeting.

This proposed rulemaking is for implementation of HB 1353 enacted during the most recent legislative session.

Best regards,

**Pamela Thompson**  
*Executive Assistant*

701.328.4096 • [pthompson@nd.gov](mailto:pthompson@nd.gov) • [www.psc.nd.gov](http://www.psc.nd.gov)



---

This transmission, email and any files transmitted with it, may be: (1) subject to the Attorney-Client Privilege, (2) an attorney work product, or (3) strictly confidential under federal or state law. If you are not the intended recipient of this message, you may not use, disclose, print, copy or disseminate this information. If you have received this transmission in error, notify the sender (only) and delete the message. This message may also be subject to disclosure under the North Dakota Open Records Laws.

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

**Public Service Commission**  
**Emerging Threats**  
**Rulemaking**

**Case No. PU-23-264**

CHAPTER 69-09-12

RESOURCE PLANS AND ~~CYBERSECURITY~~SECURITY

Section

69-09-12-01 Definitions

69-09-12-02 Resource Plan Procedure

69-09-12-03 Resource Plan Attributes

69-09-12-04 Filing Requirements

69-09-12-05 Security

69-09-12-01. Definitions.

1. "Resource plan" means a set of resource options an electric public utility plans to use to meet

the electric capacity and energy requirements of the utility's customers over a planning horizon, including an explanation of the electric supply and demand circumstances when each resource option would be used to meet the capacity and energy needs in an adequate and reliable manner.

2. "Externality" means numerical costs or quantified values assigned to represent environmental costs that are not internalized in the cost of production, or the market price of electricity from a particular electric resource or the alleged costs of complying with future environmental laws or regulations that have not yet been enacted.

3. "Renewable integration cost" means the cost of measures to help meet the incremental needs of the system as more renewable energy is added to the resource mix.

4. "Unserved energy" means the amount of end-customer demand measured in megawatt-hours that cannot be supplied due to a deficiency of generation either generated or imported by the electric public utility or transmission capacity.

5. "Security" means physical security and cybersecurity.

History: Effective January 1, 2023; amended effective \_\_\_\_\_.

General Authority: NDCC 49-02-04

Law Implemented: NDCC 49-05-04.4, 49-05-17

69-09-12-05. Security.

1. An electric public utility shall meet with the commission annually to report on ~~cybersecurity~~security preparedness.

2. The report must provide:

a. Information on the policies, procedure, and process used to inform the management of ~~cybersecurity~~security risk;

b. Information on any critical technology, constraints related to procurement, supply chain risk, impact of compromise to the supply chain, and controls to manage risk associated with dependency on external entities;

c. An assessment of emerging threats and efforts taken by the electric public utility to implement ~~cybersecurity~~security measures;

d. A description of the process used to support compliance with applicable standards, laws, regulations, and best practices;

e. A description of the policies and protections used to ensure the security of information and operational systems and safeguard against loss of confidential information;

f. Information on activities to monitor, detect, and analyze information related to ~~cybersecurity~~security threats;

g. Information on the systems used for collaboration and communication of information and intelligence sharing;

h. Information on activities used to address a detected ~~cybersecurity~~security incident, contain impacts, limit potential damage, and manage consequences of a ~~cybersecurity~~security incident;

i. Information on any plans to maintain resilience and business continuity, timely recovery to normal operations, and corrective actions after occurrence of an incident;

j. Information or plans for asset sharing with other electric public utilities and electrical cooperatives to maintain services in the event of a security incident;

k. Information on tabletop and field training exercises regarding security;

3. The commission may close the meeting to discuss the cybersecurity report, unless the commission orders otherwise.

History: Effective January 1, 2023: amended effective \_\_\_\_\_.

General Authority: NDCC 49-02-04

Law Implemented: NDCC 49-05-17

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Public Service Commission  
Pipeline Safety  
Rulemaking

Case No. GS-23-289

Public Service Commission  
Emerging Threats  
Rulemaking

Case No. PU-23-264

NOTICE OF INTENT TO ADOPT AND AMEND ADMINISTRATIVE RULES AND  
NOTICE OF PUBLIC HEARING

September 6, 2023

PLEASE TAKE NOTICE that the North Dakota Public Service Commission will hold a public hearing to address proposed amendments to N.D. Admin. Code **69-09-12**, and N.D. Admin. Code **69-09-03**.

A public hearing will be held on the proposed rules at **10:30 a.m. Central Time on October 10, 2023, in the Commission Hearing Room, 12th floor, State Capitol, Bismarck, North Dakota**. Written comments may be submitted to the Public Service Commission until the close of business on **October 20, 2022**.

The proposed adoption and revisions to the North Dakota Administrative Code are as follows:

**Case No. GS-23-289 - Section 69-09-03-01 and Section 69-09-03-02 – Pipeline Safety**

The purpose of this amendment is to adopt by reference the most recent amendments to pipeline safety regulations adopted by the United States Department of Transportation, Pipeline and Hazardous Materials Safety Administration (PHMSA). This rule change adopts amendments to safety regulations that have been adopted by PHMSA since December 1, 2021, current to September 6, 2023. The proposed change is not expected to have an impact on the regulated community in excess of \$50,000.

**Case No. PU-23-264 - Section 69-09-12-01 and Section 69-09-12-05 – Resource Plans and Cyber Security**

3 GS-23-289 Filed 09/06/2023 Pages: 2  
(Full) Notice of Intent to Adopt and Amend Administrative Rules and Notice of Public Hearing  
Public Service Commission

3 PU-23-264 Filed 09/06/2023 Pages: 2  
(Full) Notice of Intent to Adopt and Amend Administrative Rules and Notice of Public Hearing  
Public Service Commission

The purpose of this amendment is to change cybersecurity to Security which means physical and cyber security. The proposed change is not expected to have an impact on the regulated community in excess of \$50,000.

The proposed rulemaking implements House Bill 1353 enacted by the 68<sup>th</sup> Legislative Session, relating to Resource Planning and the annual reporting requirements an electric public utility shall report each year to include physical security as well as cyber security.

The proposed rules and amendments may be reviewed at the Public Service Commission's offices on the 12<sup>th</sup> floor of the State Capitol, 600 East Boulevard Ave, Dept. 408, Bismarck, North Dakota. A copy of the proposed rules or amendments and/or a regulatory analysis may be requested by writing the above address, emailing [ndpsc@nd.gov](mailto:ndpsc@nd.gov), or calling 701-328-2400, toll free 1-877-245-6685, Relay North Dakota TTY 1-800-366-6888. This information is also available on the Commission's web site at [www.psc.nd.gov](http://www.psc.nd.gov) under "Formal Actions/Case Search".

Interested persons may attend and submit comments at the hearing. Oral or written comments on the proposed rules may be submitted to the above address, email and phone numbers. Oral and written comments received by the close of business on **October 20, 2023**, will be fully considered.

If you plan to attend the public hearing and will need special facilities or assistance relating to a disability, please notify the Public Service Commission at the above telephone number or address at least 24 hours prior to the public hearing.

**PUBLIC SERVICE COMMISSION**

  
\_\_\_\_\_  
Sheri Haugen-Hoffart  
Commissioner

  
\_\_\_\_\_  
Randy Christmann  
Chair

  
\_\_\_\_\_  
Julie Fedorchak  
Commissioner