

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

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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.

sbauske	Office 365	Multiple recipients
Action Required		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.

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

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

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=jt2cGmD9OW3kJV0AF4mLdgqKGh7mxz9hxWkaZZpT1zMMWRp3yrjNDzX1IHjYJmJOD10QoAqfZ3mmbwJcmUoKlMyFBgtRAeMY37OmGyk+k5a0m1OF72M19vhSI51I90YYRbhMDJGxKaeZAD88fRbb9xuHp80e81JmGOzqyIymSDMaP2bzzIk3YalJopyRn0TsyliDC00HcyDNYTqYROhV4Xlqm01EmDw2Jv1Dhc0ADKCNj1ZwM00MCQAaE32TmXHsOtiqX6LYg2sVwCjHtw4QklG//Vc03ovU7NzR+KfUI/Km3mKq9007rNxxCdUqMOJzRXWeFIm25yWRIt3ckDJPg==

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/xxxXPo2R8A5YveR9Z9gWaiTQDi5AWXxbw5I2uKOLblft4kmsvvhvQYRsFT0Dfz8/dVlyAvTMSuTTmg2Ov8NtvkZFuOH3EuS7EJPwxTFGNSSNH93JiXFgUheCB9pqNxiGHGGP6OakmCQBgnJtSDs5TLT7tdA/7Su4/5/16suc7oN4pEi7PCqu94Pd1kfNu28EPOS128ZLWq17/wtLyYeZK4Uz4hZpi7iHLd+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.

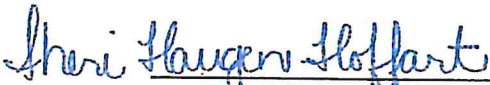
The proposed rulemaking implements House Bill 1353 enacted by the 68th Legislative Session, relating to Resource Planning and the annual reporting requirements an electric public utility shall report each year to include physical security as well as cyber security.

The proposed rules and amendments may be reviewed at the Public Service Commission's offices on the 12th 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, 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 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