

# Memorandum

To: Commissioners Christmann, Haugen-Hoffart and Fedorchak

From: <sup>CH</sup>Chris Hanson, Public Utility Analyst

Date: April 24, 2024

Re: Caliber North Dakota LLC, Transfer-Certificates #164; 229-Permits #176; 239, Siting Application, Case No. PU-24-79

On April 8, 2015, in Case No. PU-14-689, the Commission adopted Findings of Fact, Conclusions of Law and Order issuing Certificate of Corridor Compatibility (Certificate) number 164 and Route Permit (Permit) number 176, to Caliber Midstream Partners (n/k/a Caliber Midstream Partners LLC), for the construction, operation, and maintenance of approximately 4.4 miles of six-inch natural gas pipeline and associated facilities in McKenzie County, North Dakota.

On January 11, 2023, in Case No. PU-21-441, the Commission adopted Findings of Fact, Conclusions of Law and Order issuing Certificate number 229 and Permit number 239, to Caliber North Dakota LLC (Caliber North Dakota), for the construction, operation, and maintenance of approximately 2.62 miles of eight-inch natural gas pipeline and associated facilities in McKenzie County, North Dakota.

On March 8, 2023, in case PU-22-416, the Commission granted the transfer of the 4.4-mile pipeline from Caliber Midstream Partners LLC to Caliber North Dakota and issued First Amended First Reissued Certificate of Corridor Compatibility No. 164 and First Amended First Reissued Route Permit No. 176 to Caliber North Dakota.

Caliber North Dakota seeks to transfer these Certificates and the Permits to Valence Natural Gas Solutions LLC (Valence). Per staff inquiry, these facilities were no longer in use by Caliber North Dakota and Valence intends to use the facilities to support their flare gas capture/ CNG fueling operations in North Dakota. Further, Valence has no plans to alter, expand, or add additional infrastructure to the acquired assets. Valence has the financial and technical qualifications to own the Project and it agrees to assume the rights and obligations of the Certificates and Permits for the Project and to comply with the terms and conditions.

Staff finds that the transfer of the Certificate and Permit is reasonable and in the public interest.

c. Casey A. Furey [cfurey@crowleyfleck.com](mailto:cfurey@crowleyfleck.com)

This updates the original memo dated 4/18/24 to correct the company name in PU-21-441 from Caliber Midstream Partners LLC to Caliber North Dakota LLC.