

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

ONEOK Bakken Pipeline, L.L.C.
6-Inch NGL Pipeline Project – Williams Cty
Siting Application

Case No. PU-25-172

RECOMMENDED FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

August 13, 2025

Appearances

Wade Mann, Attorney at Law, Crowley Fleck PLLP, 100 W. Broadway, Suite 250, Bismarck, North Dakota 58501, on behalf of ONEOK Bakken Pipeline, L.L.C.

Brian L. Johnson, Special Assistant Attorney General, as Counsel for the North Dakota Public Service Commission, 600 E. Boulevard Avenue, Dept. 408, Bismarck, North Dakota 58505.

Hope Hogan, Administrative Law Judge, Office of Administrative Hearings, 2911 North 14th Street, Suite 303, Bismarck, North Dakota 58503, as Substantive Hearing Officer.

Preliminary Statement

On April 28, 2025, ONEOK Bakken Pipeline, L.L.C. (ONEOK) filed with the North Dakota Public Service Commission (Commission) a consolidated application for a certificate of corridor compatibility and route permit (Application) for an approximately 7.6-mile-long, 6-inch steel natural gas liquids (NGLs) pipeline located in Williams County, North Dakota (Project).

On May 23, 2025, the Commission issued a Notification of Application (Notification). On June 3 and June 11, 2025, the Commission provided the Notification to the townships, cities, and counties in which any part of the proposed Project corridor would be located.

On June 4, 2025, the Commission deemed the consolidated Application complete, designated an Administrative Law Judge to serve as a substantive hearing officer, and issued a Notice of Filing and Notice of Public Hearing (Notice), scheduling a public hearing for July 30, 2025, at 9 a.m. Central Time at Nessel Consulting Service, 6844 State Hwy 40, Tioga, ND 58852.

The Notice identified the following issues to be considered with respect to the Application for a certificate of corridor compatibility and route permit:

1. Will the location and operation of the proposed facility produce minimal adverse effects on the environment and upon the welfare of the citizens of North Dakota?
2. Is the proposed facility compatible with the environmental preservation and the efficient use of resources?
3. Will the proposed facility location minimize adverse human and environmental impact while ensuring continuing system reliability and integrity and ensuring that energy needs are met and fulfilled in an orderly and timely fashion?

On July 22, 2025, ONEOK filed a Supplemental Application Summary (Application Supplement) with the Commission. The Application Supplement contained route modifications resulting from the natural resources surveys conducted by ONEOK in May and June 2025, and updated agency correspondence.

On July 30, 2025, the public hearing was held as scheduled allowing any interested parties to present testimony in person. ONEOK submitted Exhibits 1 through 4, which were admitted at the hearing.

Having allowed all interested persons an opportunity to be heard, and having heard, reviewed, and considered all testimony and evidence presented, the Commission makes its:

Findings of Fact

1. ONEOK Bakken Pipeline, L.L.C., is a Delaware limited liability company authorized to do business in the State of North Dakota, as evidenced by the corporate papers filed with the Commission on April 16, 2025, in Case No. PU-13-739.

Size, Type, and Preferred Location of Facility

2. The Project consists of approximately 7.6 miles of new steel pipeline in Williams County, North Dakota. The Project includes one pig launcher and one pig receiver facility, one custody transfer metering skid, and one electrical control building.
3. The Project is located entirely within Williams County and originates at the Argent Midstream County Line Plant in Section 24, Township 158 North, Range 95 West and terminates at the ONEOK meter site within the Hess Tioga Plant Site in Section 23, Township 157 North, Range 95 West.
4. The Project will consist of 6.625-inch outside diameter steel pipe with a wall thickness of 0.154 inches (0.188-inches at road crossings and 0.250-inches at railroad crossings). The Project has a maximum operating pressure of 1,480 pounds per square inch gauge (psig) and maximum operating temperature of 115 degrees Fahrenheit. The Project will operate at 900 psig and 90 degrees Fahrenheit under normal conditions.

5. The Project will have an initial capacity of 9,000 barrels per day (bpd) of NGLs based upon initial meter equipment with a maximum design capacity of 40,000 bpd.
6. The proposed locations of the Project corridor and Project route are depicted on the maps attached as Exhibit A to the Application and four locations were slightly modified to avoid potential suitable habitat for the Dakota Skipper and to avoid preexisting utilities. The modified routes are identified in Exhibit A.2 of the Application Supplement presented as Hearing Exhibit 2 at the public hearing.
7. Seventy-six percent of the Project is co-located with existing linear infrastructure corridors.
8. The Project corridor is generally 200 feet wide and extends up to 360 feet wide. The 360-foot maximum corridor width is intended to allow ONEOK to shift the line closer to existing utilities and to allow additional workspace to allow for horizontal directional drilling (HDD) and boring of lines.
9. The Project Route includes a 20-foot construction buffer on either side of the route centerline to allow for minor shifts during construction.
10. ONEOK anticipates a fourth-quarter 2025 in-service date for the facility.
11. The estimated cost of the Project is approximately \$13 million.

Study of Preferred Location

12. ONEOK conducted a Class I cultural resource literature review and a desktop analysis for wetlands, waterbodies, woodlands and other sensitive environmental resources across a one-mile-wide area centered on the Project route (Study Area).
13. ONEOK conducted surveys within the Project corridor to identify potential habitat for sensitive species, noxious weed locations, wetland boundaries, top-soil depth, and trees and shrubs. The results of the surveys were filed with the Commission on July 22, 2025, as part of the Application Supplement and presented at the hearing as Exhibit 2.
14. ONEOK submitted a formal Project notification letter and the Class I report to the North Dakota State Historic Preservation Office (NDSHPO) on March 12, 2025. In responses dated March 18, 2025, and April 3, 2025, NDSHPO indicated that there would be no significant impact to the fifteen sites identified if ONEOK utilizes 100-foot buffers and boring at a distance of greater than 50 feet to avoid site 32WI2307, where a buffer would not be possible. ONEOK agrees and will utilize 100-foot buffers with fencing and bore the area indicated in the correspondence with SHPO.
15. ONEOK initiated correspondence seeking comments from the following federal, state and local agencies regarding the Project:

a. Federal: (1) Federal Aviation Administration; (2) U.S. Fish and Wildlife Service; (3) U.S. Army Corps of Engineers; (4) U.S. Department of Defense; (5) Federal Bureau of Land Management; (6) Grand Forks Air Force Base; (7) Minot Air Force Base; (8) Military Aviation and Installation Assurance Siting Clearinghouse; (9) Natural Resource Conservation Service; (10) Twentieth Air Force Ninety-first Missile Wing; (11) U.S. Department of Agriculture.

b. State: (1) ND Attorney General; (2) ND Department of Agriculture; (3) ND Department of Career and Technical Education; (4) ND Department of Commerce; (5) ND Department of Environmental Quality; (6) ND Aeronautics Commission; (7) ND Department of Human Services; (8) ND Department of Labor and Human Rights; (9) ND Department of Transportation; (10) ND Department of Trust Lands; (11) ND Energy Infrastructure and Impact Office; (12) ND Game and Fish Department; (13) ND Office of the Governor; (14) ND Indian Affairs Commission; (15) ND Industrial Commission; (16) Job Service of North Dakota; (17) ND Forest Service; (18) ND Geological Survey; (19) ND Pipeline Authority; (20) ND Transmission Authority; (21) ND Parks and Recreation Department; (22) ND Department of Health; (23) ND State Historical Society; (24) ND Department of Water Resources.

c. Local: (1) Williams County Commission; (2) Williams County Planning and Zoning; (3) Williams County Water Resource District; (4) Williams County Weed Control Board; (5) Williams County Tioga Township; (6) Williams County Lindahl Township; (7) Williams County City of Tioga; (8) Western Area Water Supply Authority.

Siting Criteria

16. The Commission has established criteria pursuant to North Dakota Century Code Section 49-22.1-03 to guide the site, corridor, and route suitability evaluation and designation process. The criteria, as set forth in North Dakota Administrative Code Section 69-06-08-02, are classified as Exclusion Areas, Avoidance Areas, Selection Criteria, and Policy Criteria.

17. ONEOK evaluated the Project for the Exclusion Areas, Avoidance Areas, Selection Criteria, and Policy Criteria of the Commission.

18. An Exclusion Area is a geographic area that must be excluded in the consideration of a route for a transmission facility. An Exclusion Area may be located within a corridor, but at no given point may such an area or areas encompass more than fifty percent of the corridor width unless there is no reasonable alternative.

19. ONEOK's studies identified fifteen state archaeological and cultural heritage sites as the only potential Exclusion Areas located within the Project corridor but not crossed by the Project's route.

20. The NDSHPO stated the Project would not affect the identified archaeological and cultural heritage sites if ONEOK creates a 100-foot buffer between the sites and the

construction. NDSHPO also indicated one site that would require boring no closer than 50 feet. ONEOK indicated that they would bore the site identified, confirming that it was greater than 50 feet distance and they would create 100-foot buffers with fencing for the other indicated sites.

21. ONEOK's studies and surveys did not identify any other Exclusion Areas within the Project corridor.

22. An Avoidance Area is a geographic area that may not be considered in the routing of a transmission facility unless the applicant shows that, under the circumstances, there is no reasonable alternative. In determining whether an Avoidance Area should be designated for a transmission facility, the Commission may consider, among other things, the proposed management of adverse impacts, the orderly siting of facilities, system reliability and integrity, the efficient use of resources, and alternative routes.

23. ONEOK's studies and surveys identified two Avoidance Areas located within the Study area but are not located within the Project corridor or Project route. No other Avoidance Areas were identified.

24. In accordance with the Commission's Selection Criteria set forth in North Dakota Administrative Code Section 69-06-08-02(3), a transmission facility corridor or route shall be approved only if it is demonstrated that any significant adverse effects that will result from the location, construction, and maintenance of the transmission facility will be at an acceptable minimum, or that those effects will be managed and maintained at an acceptable minimum. ONEOK has analyzed the impacts of the Project in relation to all relevant Selection Criteria.

25. Wetlands are a Selection Criteria. ONEOK has designed the route to avoid wetlands and will install fencing around any wetlands within the workspace.

26. Impacts upon agricultural production and family farms and ranches are Selection Criteria. ONEOK will restore any right-of-way to its original, pre-construction elevation and contours. Any impacts to agricultural land will be minimal and landowners will be able to resume agricultural and ranching operations.

27. The Commission may give preference to an applicant demonstrating certain benefits from the proposed transmission facility as set forth in North Dakota Administrative Code Section 69-06-08-02(4). There is no need for the Commission to give preference to the applicant in this proceeding.

Additional Measures to Minimize Impact

28. The Project will be designed, constructed, maintained, and inspected in accordance with U.S. Department of Transportation regulations governing the transportation of hazardous liquids by pipeline, which are set forth in 49 CFR 195.

29. ONEOK has agreed to a number of steps to mitigate the impact of the Project, as indicated by the executed Certification Relating to Order Provisions – Transmission Facility Siting, with accompanying Tree and Shrub Mitigation Specifications, which is incorporated by reference and attached to this Order.

30. ONEOK has developed Project control documents that include a Stormwater Pollution Prevention Plan; Spill Prevention, Control, and Countermeasure Plan; HDD Inadvertent Release Control and Mitigation Contingency Plan; Unanticipated Discoveries Plan; Revegetation Plan; Dust Control Plan; and a Migratory Bird Plan.

31. ONEOK communicated with Williams County which indicated it doesn't have a formal permit program for the control of noxious weeds. ONEOK has developed a Weed Management Plan to control spread of state and county-listed noxious weeds.

32. ONEOK will employ environmental inspectors and third-party inspectors to monitor construction activities and ensure activities are in compliance with company processes and practices.

33. ONEOK will employ HDD and boring of lines to avoid existing utility infrastructure, road crossings, and environmentally sensitive areas.

34. ONEOK will conduct environmental training for all Project personnel and contractors who will be working in the field.

35. The pipeline will be under cathodic protection to prevent corrosion, and ONEOK will hydrotest the entire pipeline prior to commencing operations to validate pipeline integrity. All welds will be x-rayed and inspected to ensure weld integrity and compliance with welding codes.

36. ONEOK will employ several methods of leak detection. A Supervisory Control and Data Acquisition (SCADA) system will allow ONEOK to monitor the flow and pressure of the system 24 hours a day, 7 days a week, and 365 days a year. Alarms will be triggered by any readings outside normal operating conditions. Aerial patrols will also be conducted every 21 days, and field personnel will conduct weekly AVO (audio, visual, olfactory) inspections. Inline inspections utilizing smart tools will be conducted on the pipeline every five years.

37. ONEOK testified it will collaborate with local emergency response officials and meet with them on an annual basis to discuss their Emergency Response Plan. ONEOK will also coordinate with local emergency response officials to develop an appropriate Emergency Response Plan.

38. ONEOK will participate in the North Dakota One-Call notification system.

39. ONEOK will comply with all applicable safety laws and standards.

40. ONEOK testified that it has annual meetings to educate local emergency response officials and sends mailings to local response officials providing emergency contact information and details regarding leak identification and response procedures. ONEOK further testified its emergency response group is actively coordinating with the Williams County Emergency Officials to discuss emergency preparedness and response with respect to the Project.

41. ONEOK requested a route construction buffer of 20 feet on each side of the designated Project Route, contingent upon not impacting an Avoidance Area, without the prior approval of the Commission. This is intended to allow for minor deviations to the designated route resulting from the high degree of co-location between the proposed Project Route and existing infrastructure and to address other landowner concerns or constructability issues.

From the foregoing Findings of Fact, the Commission now makes its:

Conclusions of Law

1. The Commission has jurisdiction over the applicant, ONEOK Bakken Pipeline, L.L.C., and the subject matter of the Application under Chapter 49-22.1 of the North Dakota Century Code.
2. ONEOK is a utility as defined in Section 49-22.1-01(13) of the North Dakota Century Code.
3. The Project is a liquid transmission facility as defined in Section 49-22.1-01(7) of the North Dakota Century Code.
4. The construction, operation, and maintenance of the Project will produce minimal adverse effects on the environment and upon the welfare of the citizens of North Dakota.
5. The Project is compatible with environmental preservation and the efficient use of resources.
6. The construction, operation, and maintenance of the Project minimizes adverse human and environmental impact while ensuring continuing system reliability and integrity and ensuring that energy needs are met and fulfilled in an orderly and timely fashion.

From the foregoing Findings of Fact and Conclusions of Law, the Commission makes the following Order:

Order

1. ONEOK shall construct, operate, and maintain the pipeline in accordance with the Commission's Findings of Fact.
2. Certificate of Corridor Compatibility No. 243 is issued to ONEOK Bakken Pipeline, L.L.C., designating a corridor for the construction, operation, and maintenance of approximately 7.6 miles of 6-inch diameter natural gas liquids pipeline and associated facilities in Williams County, North Dakota. For purposes of this certificate, the designated corridor generally consists of a 200-foot-wide area, up to 360-foot wide, centered on the designated route as depicted in Exhibit A.2 of the Application Supplement, Hearing Exhibit 2.
3. Route Permit No. 254 is issued to ONEOK Bakken Pipeline, L.L.C., designating a route for the construction, operation, and maintenance of approximately 7.6 miles of 6-inch diameter natural gas liquids pipeline and associated facilities in Williams County, North Dakota. For purposes of this permit, the designated route is the route of the Project as depicted in Exhibit A.2 of the Application Supplement, Hearing Exhibit 2 and identified precisely by the associated GIS map data provided to the Commission. The designated route includes a route construction buffer of 20 feet on each side of the designated route within the designated corridor, contingent upon not impacting an Avoidance Area unless such impact is approved by the Commission in writing prior to conducting any construction activities. Construction activities must not impact an exclusion area.
4. The Certification Relating to Order Provisions - Transmission Facility Siting (Certification), with accompanying Tree and Shrub Mitigation Specifications, executed by ONEOK on July 24, 2025, is incorporated by reference and attached to this Order.
5. To the extent there are any conflicts or inconsistencies between ONEOK's Application and the Certification, the Certification provisions control.
6. ONEOK shall obtain all other necessary licenses and permits prior to commencing construction on such portion of the Project for which the license and/or permit is required and shall provide copies of such licenses and permits to the Commission prior to construction.
7. If a spill by ONEOK requires notification of a spill to any other state or federal agency, ONEOK will also inform the Commission of such spill within 24 hours of occurrence by leaving a message at the Commission's Toll-Free Number, with a follow-up email to the Commission's Executive Secretary.

8. ONEOK is required to comply with all applicable laws, rules, and/or regulations in the event it desires to construct another or a different transmission facility than was specified in the Application within the corridor designated in this proceeding.

Dated at Bismarck, North Dakota this 13 day of August 2025.

By:



Hope L. Hogan
Administrative Law Judge
Office of Administrative Hearings
2911 North 14th Street – Suite 303
Bismarck, North Dakota 58503
Telephone: (701) 328-3200

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

ONEOK Bakken Pipeline, L.L.C.
6-Inch NGL Pipeline Project – Williams Cty
Siting Application

Case No. PU-25-172
OAH File No. 20250163

CERTIFICATE OF SERVICE

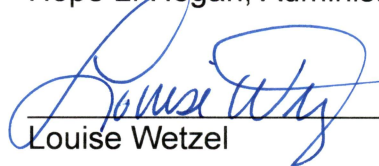
The undersigned certifies that the original **RECOMMENDED FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER** was sent, inside mail, at the State Capitol on the 13 day of August 2025, to:

Brian Johnson
Interim General Counsel
Public Service Commission
600 East Boulevard Avenue, Dept. 408
Bismarck, ND 58505-0480

and that a true and correct copy of the above document was sent by electronic mail on the 13 day of August 2025, to:

Wade Mann
Crowley Fleck PLLP
wmann@crowleyfleck.com

OFFICE OF ADMINISTRATIVE HEARINGS
Hope L. Hogan, Administrative Law Judge



Louise Wetzel