



Public Service Commission

State of North Dakota

COMMISSIONERS

Brian Kroshus
Julie Fedorchak
Randy Christmann

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

26 August 2020

via email only

Vonette Richter
Code Reviser
North Dakota Legislative Council
vrichter@nd.gov

Re: Notice of Intent to Amend Administrative Rules
PSC Case Numbers WM-20-369 and GS-20-370

Dear Ms. Richter:

The Public Service Commission recently passed a motion to propose changes to its administrative rules and issue notices. Consequently, enclosed please find copies of:

- Commission Motion to Propose Revisions to the North Dakota Administrative Code and Issue Notices;
- Proposed rule changes that were the subject of the Motion; and
 - Article 69-10 Testing and Safety
 - Section 69-09-03-02 Adoption of Regulations
- Notice of Intent to Amend Administrative Rules and Notice of Public Hearing.

If you have any questions please do not hesitate to call.

Best Regards,

John Schuh
General Counsel

attachments

STATE OF NORTH DAKOTA

PUBLIC SERVICE COMMISSION

Public Service Commission
Weights and Measures
Rulemaking

Case No. WM-20-369

Public Service Commission
Pipeline Safety
Rulemaking

Case No. GS-20-370

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

August 26, 2020

PLEASE TAKE NOTICE that the Public Service Commission will hold a public hearing to address proposed amendments to Article 69-10 and to amend Section 69-09-03-02.

A hearing will be held on the proposed rules at **10:00 a.m. Central Time on September 28, 2020, in the Commission Hearing Room, 12th floor, State Capitol, Bismarck, North Dakota.** The public is also encouraged to view the hearing electronically via <https://psc.nd.gov/public/meetings/live.php> or listen telephonically via 1-888-585-9008 with room code 259-316-322.

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

Case No. WM-20-369 - Article 69-10 - Testing and Safety

The purpose of the proposed amendments to Article 69-10 is to update and clarify the administrative rules regarding standards for certifying and maintaining commercial weighing and measuring devices. The proposed amendments are not expected to have an impact on the regulated community in excess of \$50,000.

Case No. GS-20-370 - 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

current to August 20, 2020. The proposed change is not expected to have an impact on the regulated community in excess of \$50,000.

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 Case Search.

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 8, 2020 will be fully considered.

Interested persons may attend and submit comments at the hearing. If an interested person not attending the hearing in person would like to provide input during the hearing, call 701-328-4081 to be placed on a list. On September 28, 2020, the Commission will call you back to receive your input at the time determined by the hearing officer.

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

PUBLIC SERVICE COMMISSION


Julie Fedorchak
Commissioner


Brian Kroshus
Chairman


Randy Christmann
Commissioner