

Service Date: May 7, 2018

DEPARTMENT OF PUBLIC SERVICE REGULATION
BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MONTANA

IN THE MATTER OF ONEOK Elk Creek) REGULATORY DIVISION
Pipeline, L.L.C.'s Notice of Acceptance of the)
Provisions of Chapter 13 of Title 69 of the) DOCKET NO. N2018.4.30
Montana Code and Application for Recognition as)
a Common Carrier)

NOTICE OF APPLICATION AND OPPORTUNITY TO COMMENT

On April 23, 2018, ONEOK Elk Creek Pipeline, L.L.C. ("ONEOK") filed a Notice of Acceptance and Application with the Montana Public Service Commission ("Commission"). Specifically, the Notice and Application notifies the Commission that ONEOK submits itself to jurisdiction under Title 69, Chapter 13 of the Montana Code, and requests recognition as a regulated common carrier. ONEOK proposes to construct an interstate natural gas liquid pipeline and related facilities that would transport raw, unfractionated material from Montana to Kansas. These liquids are produced in conjunction with conventional and unconventional gas production from crude oil wells in Montana and North Dakota. The pipeline will transport material through Richland, Wibaux, Fallon, and Carter Counties in Montana. Importantly, if granted common carrier designation by the Commission, ONEOK has the power to utilize eminent domain powers to construct the pipeline, as outlined in Mont. Code Ann. §§ 69-13-104 and 70-30-102(20).

ONEOK states that it qualifies as a common carrier under Mont. Code Ann. §§ 69-3-101(1)(a) and (e), as it would construct, own, and operate a pipeline for the transportation of crude petroleum products, and that the proposed interstate pipeline would also be subject to jurisdiction of the Federal Energy Regulatory Commission as a common carrier. If granted common carrier status, ONEOK expressly agrees to the jurisdiction, rights, and responsibilities of the common carrier requirements outlined in Chapter 13 of Title 69 of the Montana Code.

ONEOK's Notice and Application is publicly available at the following locations: on the Commission's website at <http://psc2.mt.gov/Docs/ElectronicDocuments/>, under N2018.4.30; at the Commission's offices, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana, 59620-

2601; and at the Montana Consumer Counsel's offices, 111 North Last Chance Gulch, Suite 1B, P.O. Box 201703, Helena, Montana, 59620-1703. Importantly, the Montana Consumer Counsel is available to assist and represent the interests of the consuming public in this matter.

The Commission invites those directly affected by this Notice and Application to submit comments to the Commission **no later than June 6, 2018**. Parties must submit: (1) an electronic comment to the Commission's website at <http://psc2.mt.gov/AccountLogin.asp>; (2) the original comment by physical delivery or mail to the Commission address listed above; (3) a physical copy of the comment to the Montana Consumer Counsel address listed above, and to ONEOK's counsel, William Mercer and Hannah Tokerud, Holland & Hart, LLP, P.O. Box 639, Billings, Montana 59103-0639. Public comments may also be submitted to the Commission at: <http://psc.mt.gov/Documents-Proceedings/Comment-On-A-Proceeding>.

The Commission's jurisdiction and substantive rules over this matter is provided in Title 69, Chapter 13 of the Montana Code Annotated, Title 38, Chapter 7 of the Administrative Rules of Montana, and any prior Commission orders relevant to the issues in ONEOK's Notice and Application. This proceeding is governed by the Montana Administrative Procedure Act found in Mont. Code Ann. § 2-4-101 et seq., and additional procedural rules in Mont. Admin. R(s). 38.2.101 et seq.

BY THE MONTANA PUBLIC SERVICE COMMISSION

BRAD JOHNSON, Chairman
TRAVIS KAVULLA, Vice Chairman
ROGER KOOPMAN, Commissioner
BOB LAKE, Commissioner
TONY O'DONNELL, Commissioner

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the Notice of Application and Opportunity to Comment issued on May 7, 2018 in Docket D2018.4.30 was served upon the following, by mailing a true and correct copy, via first class mail, on the 7th day of May, 2018, addressed as follows:

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_____/s/Sydney Kessel_____
Sydney Kessel, Administrative Assistant

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