

1250 West Century Avenue Mailing Address: P.O. Box 5601 Bismarck, ND 58506-5601 (701) 530-1600

October 11, 2021

Kimberly D. Bose, Secretary Federal Energy Regulatory Commission 888 First Street, N.E., Room 1A Washington, D.C. 20426

Re: WBI Energy Transmission, Inc.

Prior Notice Request Under Blanket Authorization

Docket No. CP22-___-000

Dear Ms. Bose:

WBI Energy Transmission, Inc. (WBI Energy or Company), pursuant to Section 7 of the Natural Gas Act and Sections 157.205, 157.208(b) and 157.211(a)(1) of the Federal Energy Regulatory Commission's (Commission) regulations, respectfully submits for filing a Prior Notice request for authorization to construct and operate natural gas pipeline facilities in McLean and Morton Counties, North Dakota under its blanket certificate obtained in Docket Nos. CP82-487-000, et al.

WBI Energy proposes to install approximately 9.6 miles of 8-inch diameter natural gas lateral pipeline and associated receipt and delivery point facilities to provide incremental natural gas service to an existing ethanol processing plant. WBI Energy is also requesting authorization to construct and operate three farm taps along the new 9.6-mile lateral pipeline for a local distribution company to serve customers along the proposed route.

The filing includes the following volumes:

Volume I – consists of the Application. The information contained in Volume I is public.

Volume II – consists of the Environmental Report and all associated Appendices (except for Appendices III-A and III-B, which are included in Volume III, and Appendices IV-A through IV-C, which are included in Volume IV). The information included in Volume II is public.

Volume III – consists of Appendix III-A, Flow Diagrams and Appendix III-B, Plot Plan of the Glen Ullin Compressor Station. The information contained in Volume III is considered Critical Energy Infrastructure Information (CEII) and WBI Energy requests privileged and confidential

treatment of this information, which is labeled: "CUI/CEII – DO NOT RELEASE."

Volume IV – consists of Appendix IV-A, Class I and III Cultural Resources Inventory, Appendix IV-B, Names and Addresses of Affected Landowners, and Appendix IV-C, Precedent Agreement. Consistent with the Commission's precedent and regulations with respect to sensitive information, WBI Energy requests privileged and confidential treatment of this information, which is labeled: "CUI//PRIV – DO NOT RELEASE."

Any questions regarding this filing should be addressed to the undersigned at (701) 530-1563.

Sincerely,

/s/ Lori Myerchin

Lori Myerchin Director, Regulatory Affairs and Transportation Services

cc: Adrienne Riehl Brian D. O'Neill

Courtesy Copies: OEP Room 62-46 (2 copies)

UNITED STATES OF AMERICA FEDERAL ENERGY REGULATORY COMMISSION

WBI Energy Transmission, Inc.

Docket No. CP22- -000

REQUEST FOR AUTHORIZATION UNDER THE PRIOR NOTICE PROCEDURES FOR THE CONSTRUCTION OF NATURAL GAS FACILITIES

WBI Energy Transmission, Inc. (WBI Energy or Company), pursuant to its blanket certificate obtained in Docket Nos. CP82-487-000, et al. ¹, hereby files this Prior Notice request for authorization, in accordance with section 7(c) of the Natural Gas Act (NGA)² and 18 CFR Sections 157.205, 157.208(b), and 157.211(a)(1) of the Federal Energy Regulatory Commission's (Commission or FERC) regulations, to construct and operate natural gas pipeline facilities in McLean and Morton Counties, North Dakota. In support of its request, WBI Energy respectfully shows the following:

I. CORRESPONDENCE

The names, titles, mailing addresses and phone numbers of the persons who should be served with communications concerning this request are³:

¹ By the Commission's Order dated February 13, 1985 in Docket Nos. CP82-487-000, et al.,

⁽³⁰ FERC ¶ 61,143), WBI Energy Transmission, Inc. was authorized to acquire and operate the interstate pipeline facilities previously owned and operated by MDU Resources Group, Inc. ("MDU"), its parent company, as well as to provide the certificated service previously provided by MDU, effective January 1, 1985. MDU was originally granted blanket certificate authority in Docket Nos. CP83-1-000, et al.

² 15 U.S.C. § 717f(c) 2012.

³ WBI Energy respectfully requests waiver of 18 CFR § 385.203(b)(3) to allow each person listed to be included on the Commission's official service list for this filing.

Lori Myerchin
Director, Regulatory Affairs and
Transportation Services
WBI Energy Transmission, Inc.
P.O. Box 5601
Bismarck, North Dakota 58506-5601
(701) 530-1563
lori.myerchin@wbienergy.com

Brian D. O'Neill Van Ness Feldman, L.L.P. 1050 Thomas Jefferson St. NW Seventh Floor Washington, D.C. 20007 (202) 298-1983 bdo@vnf.com

and

Adrienne Riehl
Senior Attorney
MDU Resources Group, Inc.
P.O. Box 5650
Bismarck, ND 58506-5650
(701) 530-1091
adrienne.riehl@mduresources.com

II.

IDENTIFICATION OF APPLICANT AND DESCRIPTION OF APPLICANT'S EXISTING OPERATIONS

The exact legal name of WBI Energy is WBI Energy Transmission, Inc. WBI Energy is a corporation organized and existing under the laws of the state of Delaware, with its principal place of business located at 1250 West Century Avenue, Bismarck, North Dakota 58503. WBI Energy is authorized to conduct, and is conducting, business in the states of Montana, North Dakota, South Dakota, Wyoming, and Minnesota.

WBI Energy is a natural gas company engaged in the transportation and storage of natural gas. WBI Energy operates underground storage reservoirs in the Cedar Creek (Baker) Field, Montana and the Elk Basin Field, Wyoming to serve its natural gas system.

III. EXECUTIVE SUMMARY

WBI Energy herein requests authorization to construct and operate approximately 9.6 miles of 8-inch diameter natural gas lateral pipeline and associated receipt and delivery point

facilities to provide incremental natural gas service to an existing ethanol processing plant, Blue Flint Ethanol LLC (Blue Flint). WBI Energy is referring to these facilities as its Line Section 7 Expansion Project (Project). Blue Flint has requested a total of 6,700 equivalent dekatherms (dkt) per day of incremental firm transportation service from WBI Energy's existing Northern Border Pipeline (NBPL)-Glen Ullin receipt point (Point ID 01051) in Morton County, North Dakota, to its processing facility located south of Underwood, North Dakota, in McLean County.

WBI Energy is also requesting authorization to construct and operate three farm taps along the new 9.6-mile lateral pipeline for a local distribution company, Montana-Dakota Utilities Co. (MDU), to serve customers along the proposed route. The total estimated cost of the Project is \$10.4 million.

IV. CONTRACTUAL COMMITMENTS

WBI Energy entered into a binding Precedent Agreement with Blue Flint which provides that WBI Energy will deliver a Maximum Daily Delivery Quantity (MDDQ) of 6,700 equivalent dkt per day to the Blue Flint Ethanol Plant. Please see Appendix C of Volume IV for a copy of the Precedent Agreement between WBI Energy and Blue Flint.

In accordance with Section 10.7 of WBI Energy's FERC Gas Tariff, Third Revised Volume No. 1, on February 16, 2021, WBI Energy reserved 6,700 dkt per day from the Northern Border Pipeline (NBPL)-Glen Ullin receipt point (Point ID 01051) to a new delivery point on Line Section 7. Subsequently, WBI Energy conducted a binding open season from February 22, 2021 through February 26, 2021 for the sale of firm transportation capacity for delivery of natural gas to new or existing delivery locations on WBI Energy's Line Section 7.

No further bids for firm transportation capacity were received during the open season.

Incremental firm transportation capacity associated with the Project is 6,700 equivalent dkt per day, based on a daily design capacity of the proposed facilities under summer conditions as reflected in flow diagram 2 included in Volume III.

Currently, Blue Flint receives steam from an adjacent coal fired generating station and uses the steam in its manufacturing process. Blue Flint has entered into a binding Precedent Agreement with WBI Energy for the firm transportation capacity to ensure a long term, reliable source of energy for its ethanol manufacturing needs.

V. DESCRIPTION OF FACILITIES

Pipeline Facilities

WBI Energy proposes to construct and operate approximately 9.6 miles of 8-inch diameter lateral pipeline in McLean County, North Dakota. The pipeline will commence at a new take off point on WBI Energy's Line Section 7 and extend to the west. The new pipeline will be co-located with existing pipelines, utilities, and roads where possible and terminate at Blue Flint's Ethanol Plant south of Underwood, North Dakota. The pipeline will have a 0.250-inch wall thickness, with pipeline at guided bore locations having a 0.322-inch wall thickness. The pipeline will have a Maximum Allowable Operating Pressure (MAOP) of 700 pounds per square inch gauge (psig). Two new pig launcher/receivers will be constructed, one at the new take off point and the other at the Blue Flint Delivery Station described below.

The new take off valve setting will be installed on the existing Line Section 7 mainline at the east end of the proposed lateral. The take off valve setting will consist of a 12-inch block valve with 8-inch Siamese valves and a 4-inch bypass/blowdown loop.

At approximate station numbers 195+00, 299+00, and 407+00 along the new lateral pipeline, WBI Energy will install a 2-inch tap for MDU to connect to the new pipeline facilities.

MDU will serve customers, on an interruptible basis, who have requested natural gas service for their residences and to convert their grain drying operations from higher cost propane to lower cost natural gas in an effort to operate their businesses more efficiently.

Blue Flint Delivery Station

The Blue Flint Delivery Station will be constructed within the boundaries of the Blue Flint Ethanol Plant. The delivery station will be located at milepost 0.0 in the SE ¼ of Section 17, Township 145 North, Range 82 West in McLean County, North Dakota. The Blue Flint Delivery Station will include the installation of a 6-inch meter skid with a 3-inch Coriolis meter, valves, gas quality instrumentation, communication equipment, necessary piping and appurtenant facilities. A new pig launcher/receiver and associated piping will also be constructed at this location. A security fence will be installed around the delivery station, and a permanent access road from the west side of the station will be constructed.

Receipt Facility Upgrades within the Glen Ullin Compressor Station

To increase the receipt point capacity and allow for an additional 6,700 equivalent dkt per day of incremental firm service to Blue Flint, minor upgrades will need to be made to the existing receipt facilities within the Glen Ullin Compressor Station. The installation of additional regulation equipment, minor above ground piping, and a larger odorization tank will be installed within the fenced boundary of the existing station.

VI. LOCATION OF FACILITIES

The location of the Project facilities is shown on the system map, topographic and aerial route maps which are included in Volume II, Appendices A and B. WBI Energy has included flow diagrams in Volume III, Appendix A in accordance with 18 CFR Section 157.208(c)(5).

VII.

FINAL AUTHORIZATION

WBI Energy plans to commence construction as soon as weather permits in the spring of 2022 following receipt of authority through the Prior Notice procedures, with an anticipated inservice date of July 15, 2022. WBI Energy understands that, pursuant to Section 157.205(h) of the Commission's regulations, it will be deemed authorized to perform the actions proposed herein if no protest is filed within 60 days of issuance of the notice of this request.

VIII. COST OF FACILITIES

The total estimated cost of the Project is \$10.4 million, which is below the 2021 Prior Notice project cost limitation of \$35.6 million. WBI Energy plans to finance the Project utilizing a combination of internally generated funds and/or debt. WBI Energy will comply with the reporting requirements of Section 157.208(e)(3) of the Commission's regulations.

IX. ENVIRONMENTAL MATTERS

An Environmental Report, along with appendices, discussing the relevant issues outlined in 18 CFR Section 380.12 of the Commission's regulations is provided as Volume II.

WBI Energy has received environmental clearances from the U.S. Fish and Wildlife Service and the North Dakota Historical Society – Historic Preservation Office. Copies of correspondence to, and clearances from, these agencies are included as Appendices M and N of Volume II and Appendix D of Volume IV.

Pursuant to Section 157.208(c)(10) of the Commission's regulations, WBI Energy commits to having the Environmental Inspector's report filed with the Commission on a weekly basis during construction.

X. OTHER AUTHORIZATIONS

WBI Energy will design, construct, test, operate and maintain the proposed facilities in accordance with all applicable local, state and federal regulations, codes and standards, including the pipeline safety requirements of the Department of Transportation specified at 49 CFR 192, "Transportation of Natural and Other Gas by Pipeline: Minimum Federal Safety Standards" and the Commission's requirements for siting and maintenance specified at 18 CFR 380.15, "Siting and Maintenance Requirements."

XI. NOTICE

In accordance with Section 157.205(b)(4) of the Commission's regulations, WBI Energy states that the proposed activity complies with the requirements of 18 CFR, Part 157, Subpart F. Pursuant to Section 157.205(b)(5), a Form of Notice suitable for publication in the <u>Federal Register</u> is included herewith. In accordance with Section 157.205(b)(6), WBI Energy states that it knows of no pending applications that are related to the instant filing.

XII. INFORMATION SUBMITTED

This filing includes the following volumes: Volume I contains the Application. Volume II consists of the Environmental Report and associated public appendices. Volume III contains information considered Critical Energy Infrastructure Information (CEII). The information is labeled "CUI//CEII – DO NOT RELEASE." Volume IV contains sensitive shipper, landowner and cultural resources information. WBI Energy requests privileged treatment of this information labeled "CUI//PRIV – DO NOT RELEASE."

NOW THEREFORE, WBI Energy hereby gives notice of its request for authorization to construct and operate the natural gas facilities described above.

Dated this 11th day of October 2021.

Respectfully submitted,

WBI ENERGY TRANSMISSION, INC.

By /s/ Lori Myerchin

Lori Myerchin Director, Regulatory Affairs and Transportation Services

STATE OF NORTH DAKOTA COUNTY OF BURLEIGH

I, Lori Myerchin, being first duly sworn, do hereby depose and say that I am the Director, Regulatory Affairs and Transportation Services for WBI Energy Transmission, Inc.; that I have read the foregoing document; that I know the contents thereof; that I am authorized to execute such document; and that all such statements and matters set forth therein are true and correct to the best of my knowledge, information and belief.

Dated this day of October, 2021.

 $By_{\underline{}}$

Lori Myerchin

Director, Regulatory Affairs and

Transportation Services

Subscribed and sworn to before me this // day of October, 2021.

Carmen Fish, Notary Public Burleigh County, North Dakota

My Commission Expires: 1/3/2024

CARMEN FISH Notary Public State of North Dakota

My Commission Expires January 3, 2024

UNITED STATES OF AMERICA FEDERAL ENERGY REGULATORY COMMISSION

WBI Energy Transmission, Inc.	Docket No. CP22-	-000

PRIOR NOTICE REQUEST UNDER BLANKET CERTIFICATE

(October 11, 2021)

Take notice that on October 11, 2021, WBI Energy Transmission, Inc. (WBI Energy) filed a Prior Notice request for authorization, in accordance with 18 CFR Sections 157.205, 157.208(b) and 157.211(a)(1) of the Federal Energy Regulatory Commission's (Commission) regulations under the Natural Gas Act and WBI Energy's blanket certificate issued in Docket Nos. CP82-487-000, et al., for the construction and operation of approximately 9.6 miles of 8-inch diameter lateral pipeline and associated facilities in McLean and Morton Counties, North Dakota to provide incremental firm transportation service to Blue Flint Ethanol LLC's existing ethanol processing plant. WBI Energy will also install three farm taps along the new lateral pipeline for the local distribution company to serve residential and grain drying operations along the pipeline.

Any questions regarding the application should be directed to Lori Myerchin, Director, Regulatory Affairs and Transportation Services, WBI Energy Transmission, Inc., 1250 West Century Avenue, Bismarck, North Dakota 58503, (701) 530-1563 (email: lori.myerchin@wbienergy.com).

Any person or the Commission's Staff may, within 60 days after issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to Section 157.205 of the regulations under the NGA (18 CFR 157.205), a protest to the request. If no protest is filed within the time allowed therefore, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the allowed time for filing a protest, the instant request shall be treated as an application for authorization pursuant to Section 7 of the NGA.

Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such motions or protests must be filed on or before the comment date. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant. On or before the comment date, it is not necessary to serve motions to intervene or protests on persons other than the Applicant.

The Commission encourages electronic submission of comments, protests and interventions in lieu of paper using the "eFiling" link at http://www.ferc.gov. Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426.

This filing is accessible on-line at http://www.ferc.gov, using the "eLibrary" link and is available for review in the Commission's Public Reference Room in Washington, D.C. There is an "eSubscription" link on the web site that enables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email ferc.gov, or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Comment Date: 5:00 pm Eastern Time on (insert date).

Kimberly D. Bose

Secretary