



U.S. Department  
of Transportation  
**Pipeline and Hazardous  
Materials Safety  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

October 12, 2023

Via E-mail

Ms. Sheri Haugen-Hoffart  
Commissioner  
North Dakota Public Service Commission  
600 East Boulevard Avenue, Dept. 408  
Bismarck, ND 58505

Dear Commissioner Haugen-Hoffart:

On September 28, 2023, a representative of the U.S. Department of Transportation's Pipeline and Hazardous Materials Safety Administration (PHMSA) conducted an evaluation of the North Dakota Public Service Commission's enforcement of the North Dakota excavation damage prevention law. PHMSA conducted this evaluation pursuant to 49 United States Code § 60114 and 49 Code of Federal Regulations Part 198, Subpart D—State Damage Prevention Enforcement Programs. Based on this evaluation, PHMSA has determined that the enforcement of North Dakota's excavation damage prevention law is "adequate."

PHMSA appreciates your dedication to pipeline safety. As you are aware, excavation damage continues to be a leading cause of pipeline failures, some of which result in fatalities, serious injuries, and environmental damage. Nationwide statistics show that effective enforcement of state damage prevention laws reduces excavation damage and pipeline incidents, resulting in enhanced public safety.

Should you or your staff have any questions regarding this letter, please contact Mr. David Appelbaum, PHMSA State Evaluator, at (202) 617-6329 or by email at [david.appelbaum@dot.gov](mailto:david.appelbaum@dot.gov).

Sincerely,

A handwritten signature in blue ink, reading "Zach Barrett", is written over a light blue circular background.

Zach Barrett  
Director, State Programs

cc: Konrad Crockford, Director, Compliance Division, North Dakota Public Service Commission