

November 27, 2007

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on November 27, 2007, 08:00 a.m. Present were Commissioners Wefald, Cramer, Clark.

Case No. PU-06-421
TransCanada Keystone Pipeline, LP
30-Inch Crude Oil Pipeline/Cavalier to
Sargent Cty
Siting Application

Mr. Cramer: I move the Commission adopt the Order Denying Intervention in TransCanada Keystone Pipeline, LP's application to construct a 30-inch crude petroleum pipeline in Cavalier to Sargent Counties, Case No. PU-06-421.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Commissioner Susan Wefald's
Dissenting Opinion

I concur with the Commission's order to deny Mr. Starke intervention. However, the main reason I would deny Mr. Starke intervention is not mentioned in this order. Mr. Starke has not petitioned to intervene in this case in a timely manner. On November 7 I voted to deny late intervention to the City of Fargo for important procedural reasons, and these same procedural issues make it important to deny late intervention to Mr. Starke today.

Also, the present order lists a number of reasons Mr. Starke should be denied intervention. I agree with all of these reasons except for two. I do not agree that Mr. Starke should be denied intervention status because he is not a citizen of the city of Fargo. The Commission has granted intervention to other people who are not citizens of Fargo in this case. I also do not agree that Mr. Starke should not be granted intervention because he has written threatening communications to the Commission. Although it is unfortunate that Mr. Starke has not controlled his behavior in this regard, his behavior does not relate to his right to be granted or denied intervention.

Susan E. Wefald, Commissioner

Case No. PU-06-421
TransCanada Keystone Pipeline, LP
30-Inch Crude Oil Pipeline/Cavalier to
Sargent Cty
Siting Application

Mr. Cramer: I move the Commission adopt the Order Denying Motion to Continue Hearing in TransCanada Keystone Pipeline, LP's application to construct a 30-inch crude petroleum pipeline in Cavalier to Sargent Counties, Case No. PU-06-421.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-06-421
TransCanada Keystone Pipeline, LP
30-Inch Crude Oil Pipeline/Cavalier to
Sargent Cty
Siting Application

Mr. Cramer: I move the Commission for just cause extend the time for designation of a corridor and a route to a date to be determined at a future time in TransCanada Keystone Pipeline, LP's application to construct a 30-inch crude petroleum pipeline in Cavalier to Sargent Counties, Case No. PU-06-421.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 08:10 A.M.

Executive Director

SUSAN E. WEFALD, PRESIDENT