



WILLIAM P. PEARCE
PATRICK W. DURICK
B. TIMOTHY DURICK
GARY R. THUNE
DAVID E. REICH
JEROME C. KETTLESON
LARRY L. BOSCHEE •
LAWRENCE BENDER, PC •
JONATHAN P. SANSTEAD
BONNIE L. CHRISTNER •

ATTORNEYS AT LAW
314 EAST THAYER AVENUE
P.O. BOX 400
BISMARCK, NORTH DAKOTA 58502

TELEPHONE (701) 223-2890
FAX (701) 223-7865
E-MAIL: law.office@pearce-durick.com

September 14, 2005



Mr. William Binek
ND Public Service Commission
600 East Boulevard, Dept. 408
Bismarck, ND 58505-0840

RE: CASE NO. PU-05-185

Dear Mr. Binek:

In anticipation that some of the same issues that were raised at the hearing of the application of Plains Pipeline, LP for its proposed Trenton Expansion Project (Case No. PU-05-184) will also be raised in the above referenced application, we have this date filed with the Commission under separate cover the following:

- 1 Addendum to the Cultural Resources Report prepared by Metcalf Archaeological Consultants, Inc. ("Metcalf") dated August 2005;
- 2 Letter dated August 26, 2005 from the North Dakota Game & Fish Department indicating they have no objection to Plains' proposed Buford Expansion Project;
- 3 Acknowledgment from US Fish & Wildlife Service that they have no objection to Plains' proposed Buford Expansion Project.

As you will note, the Addendum to the Cultural Resources Inventory previously prepared by Metcalf expands the area of review from a 50 foot corridor to a 200 foot corridor for the length of the project.¹ In addition, in the area where Plains intends to conduct its boring operations under the Missouri River, the area of review was expanded to 300 feet.

¹You will no doubt note that the Addendum prepared by Metcalf extends along the existing Trenton Pipeline further to the east than currently requested in the proposed Buford Expansion Project. Plains may have plans for further expansion in this area but that is not the subject of this application (PU-05-185) or the Trenton Expansion Project (PU-05-184).


Mr. William Binek
September 14, 2005
Page 2

Similar to its request for the proposed Trenton Expansion Project, Plains requests that the Commission exercise its authority pursuant to 69-06-04-02 of the North Dakota Administrative Code and authorize the proposed 200/300 foot corridor rather than a one mile corridor. As in the proposed Trenton Expansion Project, Plains would have no objection to the Commission including in its order a provision that Plains would be prohibited from conducting any operation outside the corridor area.

Finally, Plains is anxious to move this matter forward prior to the onset of winter and therefore requests that the Commission schedule this matter for hearing at the soonest possible date and thereafter render an expeditious decision approving the application of Plains for the Buford Expansion Project.

Should you have any questions, please advise.

Sincerely,



LA WRENCE BENDER

LB/dlb

cc: Mr. Patrick Fahn
Mr. Jim Davis
Mr. Michael Jones