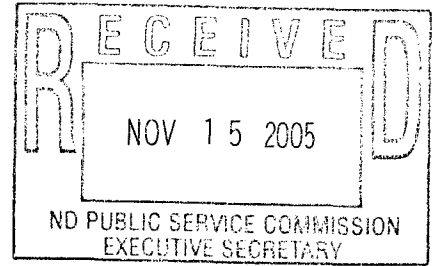


**Lawrence X. Bender**

**From:** Dan Holli [dholli@paalp.com]  
**Sent:** Monday, November 14, 2005 10:55 AM  
**To:** Lawrence X. Bender  
**Cc:** Edward W Shypkoski; Mark W Olson  
**Subject:** FW: De-activation of pipeline crossing Missouri River



Pipe  
ation REV BY

Lawrence,

Here is a response from the State Water Commission to the PSC request.

Thanks,

Daniel Holli  
Environmental R/C Specialist  
Belfield, ND  
701-575-4254 ext. 34

-----Original Message-----  
From: Comfort, Dwight E. [mailto:dcomfort@state.nd.us]  
Sent: Monday, November 14, 2005 9:33 AM  
To: Dan Holli  
Cc: Paczkowski, John A.  
Subject: RE: De-activation of pipeline crossing Missouri River

Dan,  
We have no objection to the proposed plan as it appears to be a superior solution to digging up the bed of the Missouri River to reclaim the section of pipe. The Cathodic protection of the purged and capped pipe filled with nitrogen gas, conforming to DOT pipeline safety regulations appears to be a satisfactory plan of action.

Dwight Comfort

-----Original Message-----  
From: Dan Holli [mailto:dholli@paalp.com]  
Sent: Monday, November 14, 2005 9:03 AM  
To: Comfort, Dwight E.  
Subject: FW: De-activation of pipeline crossing Missouri River

Dwight,

Attached is a copy of a letter sent to the Corps of Engineers for approval to idle the six inch pipeline in place. Please let me know the Water Commission's position on idling the pipeline in place.

Thanks,

Daniel Holli  
Environmental R/C Specialist  
Belfield, ND  
701-575-4254 ext. 34

> -----Original Message-----  
> From: Jordan R Janak

**EXHIBIT 5**

> Sent: Friday, November 11, 2005 9:39 AM  
> To: 'jason.j.renscheler@usace.army.mil'  
> Cc: Dan Holli; Mark W Olson; Edward W Shypkoski  
> Subject: De-activation of pipeline crossing Missouri River  
>  
> Jason,  
> Dan Holli of our Belfield, ND office requested that I send you the  
> attached letter by e-mail. He intends to visit your office this  
> afternoon to discuss the letter so he wanted you to see it beforehand.

> A hard copy of the letter is being sent to you today by overnight  
> mail.

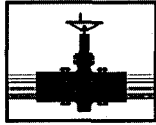
>  
> Cordially,  
> Jordan Janak  
> Plains Pipeline, L. P.  
> 3600 Bowman Ct  
> Bakersfield, CA 93308  
> (661) 587-2116  
> (661) 203-7961 Cell  
>

#####  
Attention:  
The information contained in this message and/or attachments is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. If you received this in error, please contact the Plains Service Desk at 713-646-4444 and delete the material from any system and destroy any copies.

This footnote also confirms that this email message has been scanned for Viruses and Content and cleared.

#####  
Attention:  
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**PLAINS**  
**PIPELINE, L.P.**

November 11, 2005

Mr. Jason Renschler  
U.S. Army Corps of Engineers  
1513 S. 12<sup>th</sup> Street  
Bismarck, ND 58504

RE: De-activation of 6-inch Pipeline at Crossing of Missouri River

Dear Mr. Renschler:

Plains Pipeline, L. P.(Plains) has received a Letter of Permission(No. 200560121) from the North Dakota State Water Commission to install a 10-inch diameter pipeline beneath the Missouri River with a bored crossing. The 10-inch pipeline will be installed parallel to an existing 6-inch pipeline that has been in service since its construction in 1968. The new pipeline is needed to transport increased crude oil production from the region. Once the new 10-inch pipeline is completed, the portion of the existing 6" pipeline that crosses under the river will be taken out of active service.

Plains intends to de-activate the pipeline within the river crossing by purging all liquid from the pipeline using nitrogen and standard pipeline purging procedures. Once purged, the river section will be cut and capped on both sides of the river and maintained in a nitrogen filled condition. Cathodic protection will be maintained on the inactive crossing and routine inspections of the crossing will continue to be performed after de-activation. These procedures to de-activate a pipeline are consistent with the Department of Transportation pipeline safety regulations.

The North Dakota Public Service Commission has requested that we confirm with the Corps of Engineers, North Dakota Game & Fish Department, and U.S. Fish & Wildlife Service that our plan of action to de-activate the 6-inch river crossing is acceptable to the agencies. The purpose of this letter is to request your approval of our plan of action. Your prompt consideration and review of this matter and notification of your approval of our plan at the earliest possible date would be greatly appreciated.

Please do not hesitate to contact me with any questions you may have or additional information you may need.

Sincerely,

Daniel Holli  
Environmental R/C Specialist  
Belfield, ND  
701-575-4254 ext. 34