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GARY R. WOLBERG+  
PAUL W. SUMMERS  
BRIAN R. BJELLA\*\*  
JOHN W. MORRISON

ALSO LICENSED IN:

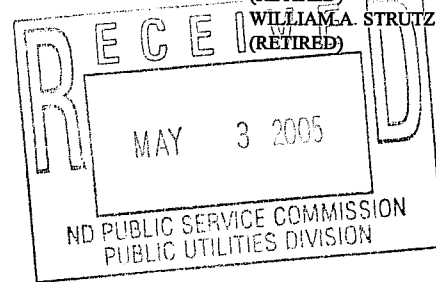
\* Minnesota  
° Montana  
+ Iowa  
^ Wyoming  
□ Nebraska

Ms. Ilona Jeffcoat-Sacco  
Executive Secretary  
PUBLIC SERVICE COMMISSION  
600 E. Boulevard Ave., Dept. 408  
Bismarck, ND 58505-0480

May 2, 2005

CURTIS L. WIKE\*\*  
CRAIG C. SMITH^  
SHANE A. HANSON  
MICHAEL C. WALLER°  
PETRA H. MANDIGO°

ERNEST R. FLECK  
(1921-1995)  
RUSSELL R. MATHER  
(RETIRED)  
WILLIAM A. STRUTZ  
(RETIRED)



Dear Ms. Jeffcoat-Sacco:

In re: Enbridge Pipelines (North Dakota) LLC  
Consolidated Letter of Intent and Application  
For Waiver of Procedures and Time Schedules  
And for an Amended Corridor Certificate  
And/or Route Permit  
Our File No. 120-27453

Enclosed please find the original and ten copies of the Consolidated Letter of Intent and Application of Enbridge Pipelines (North Dakota) LLC for Waiver of Procedures and Time Schedules and for an Amended Corridor Certificate and/or Route Permit.

Pursuant to North Dakota Administrative Code § 69-06-05-01(3) by copy of this letter we shall also serve the county auditors of Williams and McKenzie Counties with one copy of the complete Application.

On behalf of Enbridge Pipelines (North Dakota) LLC, we respectfully request the Commission to render an expeditious decision in this matter.

Please do not hesitate to call should you have any questions.

Very truly yours,



BRIAN R. BJELLA

bw

Ms. Ilona Jeffcoat-Sacco  
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Enc.

cc: (w/enc.)  
County Auditors:  
McKenzie County  
Williams County

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF NORTH DAKOTA

IN THE MATTER OF THE  
APPLICATION OF ENBRIDGE  
PIPELINES (NORTH DAKOTA) LLC  
FOR THE CONSTRUCTION OF A NEW  
PUMPING STATION AND ALSO THE  
UPGRADING OF PUMPING CAPACITY  
AT TWO EXISTING PUMPING  
STATIONS LOCATED IN WILLIAMS  
AND MCKENZIE COUNTIES, NORTH  
DAKOTA, IN A PREVIOUSLY  
APPROVED PIPELINE PROJECT.

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**CONSOLIDATED LETTER OF INTENT  
AND APPLICATION OF ENBRIDGE PIPELINES  
(NORTH DAKOTA) LLC FOR WAIVER OR REDUCTION  
OF PROCEDURES AND TIME SCHEDULES AND FOR AN  
AMENDED CORRIDOR CERTIFICATE AND/OR ROUTE PERMIT**

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Enbridge Pipelines (North Dakota) LLC (“Enbridge”) whose address for purposes of this Application is 119 North 25<sup>th</sup> Street East, Superior, Wisconsin 54880, pursuant to the Energy Conversation and Transmission Facility Siting Act codified at North Dakota Century Code Chapter 49-22 (“Act”), hereby submits this Consolidated Letter of Intent and Application for Waiver or Reduction of Procedures and Time Schedules and for an Amended Corridor Certificate and/or Route Permit (“Application”). Enbridge requests the North Dakota Public Service Commission (“Commission”) waive and/or reduce time periods and schedules required by the Act or in the Commission’s regulations set forth in Title 69-06 of the North Dakota Administrative Code to accomplish the purposes as requested herein. These include, but are not limited to: (1) waive or reduce the time period required for separate filing of a Letter of Intent

and the one year time period provided for in § 69-06-03-01, North Dakota Administrative Code, for the filing of an Application; (2) waive, pursuant to North Dakota Century Code §§ 49-22-07.2, 49-22-13(2) and North Dakota Administrative Code § 69-06-01-02(3) and Chapter 69-06-06, provisions of North Dakota Century Code §§ 49-22-08(5), 49-22-08.1(5), 49-22-13 and North Dakota Administrative Code § 69-06-01-02 which requires separate filings of such applications, notices of such publication, hearings on such applications and certain time schedules as set forth in said statutes and rules; (3) not hold a public hearing on this application, but pursuant to North Dakota Century Code § 49-22-13(2) and North Dakota Administrative Code § 69-06-01-02(3), publish a notice of opportunity for hearing as provided for therein; (4) find that the proposed facility is of such design, location and purpose that it will produce minimal adverse effects; (5) that pursuant to North Dakota Century Code § 49-22-13(4), provide in the notice of opportunity for hearing that any request for a hearing be made in not more than ten days; and (6) designate and approve the requested facilities as identified in this Application and the schematic diagram included with this Application and issue the appropriate amended corridor certificate and/or route permit.

The Commission's application guidelines for waiver of procedures and time schedules requires a description of the facility, the need for the facility, the cost of the facility and separate justification for each provision of the Act for which the Applicant is requesting a waiver, together with evidence that the project will produce minimal adverse effects or that a demonstrable emergency exists. As demonstrated in this Application, and summarized below, Enbridge's requests for waivers or reduction of procedures and time schedules and the issuance of an amended corridor certificate and/or route permit are justified as the proposed facilities are

of such design, location and purpose that they will produce minimal adverse effects, and that the urgent demand for additional pipeline capacity in the Williston Basin requires immediate construction.

### **DESCRIPTION**

The proposed new pumping station in Williams County will be located in the SE¼ of Section 36, Township 156 North, Range 100 West, Williams County, North Dakota, to be known as the East Fork Station. Tentative arrangements have been made with the landowner to secure this approximate five acre tract of land. Construction will consist of a 1500 horsepower station be located at the midpoint between the existing Trenton Station of Enbridge and the Beaver Lodge oilfields near Tioga, North Dakota.

On October 11, 1983, the Commission issued its Findings of Fact, Conclusions of Law and Order in Case No. 10,472 approving the construction of an eight-inch pipeline and associated facilities in McKenzie and Williams Counties, North Dakota, by Portal Pipeline Company. Enbridge has succeeded to the interest of Portal Pipeline Company in this pipeline and associated facilities. On the same date the Commission issued Certificate of Site Compatibility No. 40 and Route Permit No. 49 for this project. Enbridge hereby seeks amendments to said corridor certificate and/or route permit to allow the construction of the aforementioned facilities.

Enclosed with this Application is a schematic map of the proposed new East Fork pump station to be constructed in Williams County (Exhibit "A"). Enbridge requests that this map be accepted as a substitute for a mylar map required by the Commission application guidelines.

It will take approximately two months for construction of the East Fork pumping station in Williams County. Enbridge desires to begin construction no later than August 2005. Upgrading of the existing Alexander and Trenton Pump Stations will take only a matter of days.

### **NEED**

As previously stated, Enbridge has received urgent requests from oil producers in the Williston Basin of North Dakota and Montana for immediate additional pipeline capacity to transport increased production of crude oil. The additional pipeline capacity will be provided by the upgrades of the two existing pump stations and construction of the East Fork Station.

### **COSTS**

The estimated cost of the new pump station and upgrades of two existing stations is \$3,200,000.00.

### **JUSTIFICATION**

As previously noted, in Case No. 10,472 the Commission issued a corridor certificate and route permit for this eight-inch pipeline project, including the Alexander Station in McKenzie County and the Trenton Station in Williams County. In that case, extensive cultural resource survey material was compiled. Enbridge will update said survey material for purposes of the proposed East Fork Station.

The affected landowners have been contacted and have agreed to sell the land for the East Fork Station to Enbridge.

Enbridge will submit updated cultural resource data required by statute and regulation as soon as it is available. Enbridge requests the Commission to act favorably on this Application upon receipt and approval of such data.



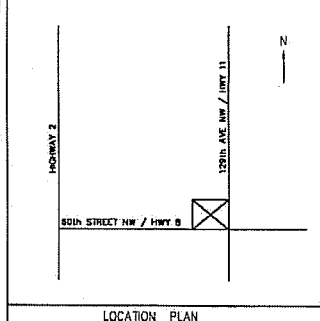
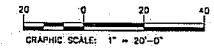
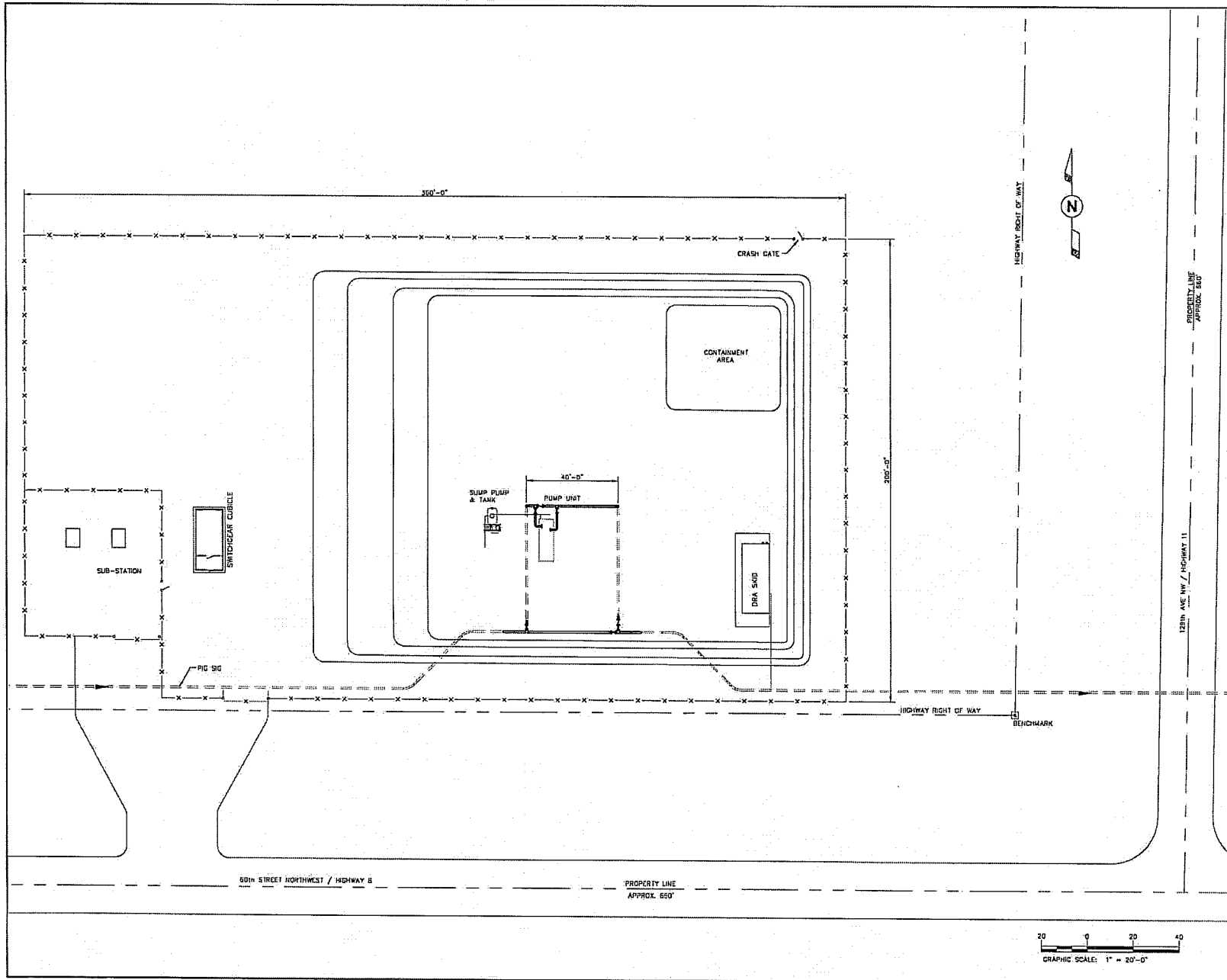
Subscribed and sworn to before me this 2nd day of May, 2005.

*Beth Wald*

Beth Wald, Notary Public  
Burleigh County, North Dakota  
My Commission Expires: 11/28/08

(SEAL)

**BETH WALD**  
Notary Public, State of North Dakota  
My Commission Expires November 28, 2008



LOCATION PLAN

PROPERTY DESCRIPTION:  
 PART OF THE SE 1/4 OF  
 SECTION 36, T156N, R100W,  
 EAST FORK TWP., WILLIAMS CO., NORTH DAKOTA

NO	REVISION	BY	DATE	APPR

**ENBRIDGE**  
**PROPOSED (ND) STATION**  
 PROPOSED PLOT PLAN

PROJECT:	SCALE: 1" = 20'	DATE: 3-23-05	DRAWN: CDT
CHECK: JWP	APPR:	DATE:	
APPR: JWP			
APPR:			