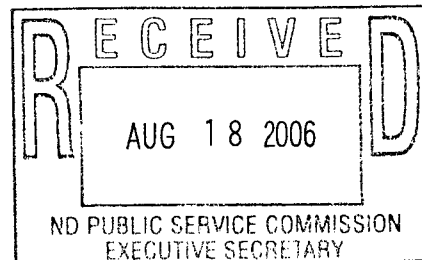


STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**Enbridge Pipelines (North
Dakota) LLC Crude Oil
Pumping Stations – McKenzie –
Mountrail – Williams Counties,
North Dakota, Siting Application**

Case No. PU-06-317



AFFIDAVIT OF
BRIAN JOHNSON

STATE OF NORTH DAKOTA)
)§
COUNTY OF WARD)

The undersigned, being first duly sworn under oath declares and states as follows:

1. That my name is Brian Johnson, my business address is Enbridge Pipelines (North Dakota) LLC, 2625 Railway Avenue, Minot, ND 58703.
2. That I hold the title of Manager of Enbridge Pipelines (North Dakota) LLC (hereinafter "Enbridge").
3. Enbridge proposes to upgrade its existing Alexander station in McKenzie County, Trenton and Beaver Lodge stations in Williams County, and Stanley station in Mountrail County. These upgrades are in conjunction with the pipeline project previously approved by the Public Service Commission (hereinafter "Commission") on October 11, 1983, in Case No. 10,472, being an eight-inch pipeline and associate facilities in McKenzie and Williams Counties, North Dakota. The Commission issued a corridor certificate and route permit in said case to Portal Pipeline Company. Enbridge has succeeded to the interest of Portal Pipeline Company in this pipeline and associated pumping station facilities. The Beaver Lodge and Stanley facilities were initially constructed in conjunction with

Portal Pipeline Company's pipeline built in approximately 1960. Both facilities were later upgraded to pumping stations. The pipeline constructed in approximately 1960 terminated at Beaver Lodge station.

4. That it is anticipated that the Commission will issue an Order in the captioned proceeding on or about August 23, 2006.
5. That Enbridge has requested the Commission to reissue and/or amend the existing corridor certificate and route permits issued in Case No. 10,472, to provide for the upgrades to these existing pumping stations.
6. That if the Commission issues an Order approving Enbridge's application, Enbridge understands and agrees that:
 - (a) a preconstruction conference shall be held prior to commencement of any construction, and shall include an Enbridge representative and Commission staff, to ensure that Enbridge fully understands the conditions set forth in said Order;
 - (b) it will comply with the rules and regulations of all other agencies having jurisdiction over any phase of the proposed project, and shall obtain all other necessary licenses and permits, and shall provide copies to the Commission prior to construction of any of the proposed facilities;
 - (c) if any cultural resource (paleontological, archaeological or historical) or grave site is discovered, it shall be marked, preserved, and protected from further disturbances until a professional examination can be made by the State Historical Society, a report filed with the Commission, and clearance to proceed is given;

- (d) construction through any wetlands is not to occur until after July 15 as to not disturb waterfowl or other wildlife during the nesting season;
- (e) subsoil at any wetlands crossings shall be compacted sufficiently to prevent bottom seepage as recommended by the United States Fish and Wildlife Service;
- (f) all crossings of graded roads shall be bored with the exception of those road crossings exempt or waived by the appropriate road authority; all pre-existing roads and lanes used during construction shall be restored to a condition that will accommodate their previous use, and all areas used as temporary roads during construction shall be restored to their original condition;
- (g) construction shall be suspended during periods when weather conditions are such that construction activities would cause irreparable damage, unless adequate measures are approved by the Commission;
- (h) any reclamation required shall be performed by a reclamation crew and coordinated with ongoing construction;
- (i) if any reclamation, reseeding, or fertilization is required, it is to be done in accordance with the United States Soil Conservation Service Recommendation;
- (j) its obligations for reclamation under said Order shall continue throughout the life of the proposed facilities;
- (k) it will provide the Commission with a copy of the design specifications for the upgrades at these stations; and

(l) the authorizations granted by the corridor certificate and route permit are subject to modification by order of the Commission if deemed necessary to further protect the public or the environment.

7. That the undersigned, on behalf of Enbridge, commits Enbridge to full compliance with the foregoing.

Dated this 18th day of August, 2006.

ENBRIDGE PIPELINES (NORTH
DAKOTA) LLC

By Brian Johnson
BRIAN JOHNSON, its Manager

Subscribed and sworn to before me this 18 day of August, 2006.

Kim Strandberg
Notary Public
Ward County, North Dakota
My Commission Expires:

(SEAL)

