

STATE OF NORTH DAKOTA

PUBLIC SERVICE COMMISSION

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**Enbridge Pipelines (North Dakota), LLC
Trenton to Beaver Lodge Pipeline –
Williams County Siting Application**

Case No. PU-06-330 COMMUNICATIONS DIVISION

REQUEST FOR VARIANCE FROM PERMIT CONDITIONS

On September 20, 2006, the Commission issued Corridor Certificate No. 94 and Route Permit No. 104 to Enbridge Pipelines (North Dakota) LLC (“Enbridge”) for construction of a crude oil pipeline and associated facilities in Williams County, North Dakota. In conjunction therewith, the Commission issued its Findings of Fact, Conclusions of Law and Order.

Enbridge desires to start construction as possible yet this fall on certain phases of the pipeline project for which phase all permits have been obtained. However, Enbridge is concerned that the Order may not allow it to commence construction on any phase of the pipeline until all other licenses and permits have been obtained, thus affecting those phases where Enbridge needs to start construction this fall.

Paragraph 6 of the Order reads as follows:

Enbridge shall comply with all 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 any construction.

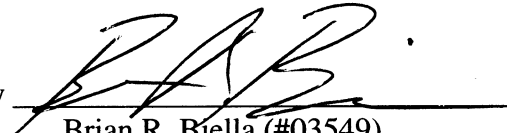
NOW, THEREFORE, pursuant to North Dakota Century Code § 49-22-08.1 and North Dakota Administrative Code § 69-06-05-02(3) Enbridge hereby requests a variance from the Commission in order that it may commence construction this fall on certain phases of the pipeline project. Enbridge offers the following suggestion as an amendment to paragraph 6 of said Order:

Enbridge shall comply with all the rules and regulations of all other agencies having jurisdiction over any phase of the proposed project. Prior to commencing construction of any phase of the proposed project, Enbridge shall obtain all other necessary licenses and permits for construction of such phase, and provide copies to the Commission prior to construction of each such phase.

This is an urgent matter, and Enbridge respectfully requests the Commission to act on this request as soon as possible.

Dated this 6th day of October, 2006.

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