

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

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

Case No. PU-06-330

FIRST SUPPLEMENTAL ORDER

April 4, 2007

Preliminary Statement

The Commission's October 12, 2006 order granted to Enbridge Pipelines (North Dakota) LLC (Enbridge ND) a Route Permit for Construction of a Transmission Facility No. 104 to construct a 52-mile, 10-inch pipeline from Trenton Station to Beaver Lodge Station, all in Williams County.

Order paragraph 3 states:

"Enbridge shall conduct further testing to determine if the construction or operation of the pipeline, following the proposed route, will be affected by the abandoned mine. Enbridge shall submit to the Commission a report of its findings. While construction will be allowed elsewhere, Enbridge shall not construct the pipeline within a 2,750 foot radius of abandoned mine entrances until a route in that 2,750 foot radius has been approved by the Commission."

On February 15, 2007 Enbridge ND file a report titled "Geophysical Investigation of Suspected Mine in Section 4 of Pherrin Township. The investigation finds that the pipeline will not be affected by the abandoned mine. We have no reason to disagree with the findings and therefore find that the pipeline will not be affected by the abandoned mine in Section 4 of Pherrin Township.

Order paragraph 17 states:

"All cultural resource mitigation plans must be submitted to the North Dakota State Historic Preservation Office (SHPO) and approved by the SHPO prior to the start of any fieldwork or construction activity. If any cultural resource, paleontological resource, archeological resource, historical resource, or gravesite is discovered during construction of the facility, earth disturbing activities in the immediate vicinity of the discovery must be halted. The resource must be marked, preserved and protected from any further disturbance until a professional examination can be made in consultation with the SHPO. A report of such examination must be filed




with the SHPO and the Commission. Clearance to proceed must be given by the SHPO and the Commission.”

To document compliance with this provision of the order, Enbridge ND requested SHPO approval of its evaluation of two sites along the proposed route near the abandoned mine. In its January 9, 2007 letter, the NDSHPO concurs that the sites are not significant and not eligible for listing in the National Register of Historic Places. The NDSHPO also concurs with a “No Historic Properties Affected” determination provided this segment of the pipeline project is restricted to the locations plotted and described in Enbridge ND’s documentation.

ORDER

The Commission orders that the route proposed by Enbridge Pipelines (North Dakota) LLC within the 2,750 foot radius of entrances to the abandoned mine in Section 4 of Pherrin Township is APPROVED.

PUBLIC SERVICE COMMISSION

		
Tony Clark Commissioner	Susan E. Wefald President	Kevin Cramer Commissioner