STATE OF NORTH DAKOTA

PUBLIC SERVICE COMMISSION

TRANSCANADA KEYSTONE PIPELINE, LP **CASE NO. PU-06-421**

30-INCH CRUDE OIL PIPELINE/CAVALIER TO SARGENT COUNTIES

SITING APPLICATION **OAH CASE NO. 20070181**

TESTIMONY OF MICHAEL KOSKI

IN SUPPORT OF APPLICATION

FOR A CORRIDOR CERTIFICATE AND ROUTE PERMIT

MICHAEL KOSKI, BEING FIRST DULY SWORN, ON OATH, DEPOSES AND STATES AS FOLLOWS:

1. My name is Michael Koski. I am Vice President of Energy Services of Trow Engineering Company. I am Project Director of the Technical Team for the TransCanada Keystone Pipeline, L.P. (Keystone) project.

2. I am filing this testimony on behalf of Keystone, in support of its applications for a Certificate of Corridor Compatibility and a Route Permit for the proposed Keystone project.

3. I am attaching a copy of my resume and professional qualifications.

4. On April 10, 2007, Keystone filed an application for a Certificate of Corridor Compatibility and an application for a Route Permit, pursuant to the North Dakota Energy Conversion and Transmission Facility Siting Act, North Dakota Century Code, Chapter 49-22.

5. By its applications, Keystone seeks authorization to site and construct a 30-inch crude oil pipeline and appurtenant facilities, which will deliver

crude oil from an oil supply hub near Hardisty, Alberta, Canada to Wood River and Patoka, Illinois and Cushing Oklahoma.

6. The pipeline will enter North Dakota at the North Dakota/Canada border in Cavalier County and will extend in a southerly direction, exiting the State at the South Dakota border in Sargent County. The length of the pipeline in North Dakota will be approximately 218 miles.

7. Keystone's applications address the elements required by the North Dakota Century Code. The Corridor Certificate application is organized pursuant to the North Dakota Public Service Commission's (Commission) "Application Guidelines for a Certificate of Corridor Compatibility".

8. I am responsible for the following portions of Keystone's application for a Certificate of Corridor Compatibility:

    a. Section B – Studies. This section addresses the documents filed by Keystone with various agencies that evaluate environmental impacts of the project. These documents are attached to Keystone's application in Appendix A to D. The contents of the applications are described in Section B. I am responsible for ensuring that these studies were completed and submitted to the indicated agencies and provided to the Commission in support of Keystone's Corridor application. Specific responsibility for preparing the studies was delegated to appropriate technical experts. If the Commission or Staff has detailed questions with respect to the content of individual studies, I will direct the Commissioners or Staff to the appropriate experts, who will be present at the hearing.

    b. Section D.1 – Study Area. This section addresses the corridor area that was studied by Keystone in selecting the proposed route. Keystone studied a number of potential routes in North Dakota, as

part of the United States Department of State (DOS) environmental review process under the National Environmental Policy Act (NEPA) and determined, taking into account extensive public and agency input, that the proposed route is superior to other alternatives from an environmental standpoint. On May 2, 2007, the Commission granted Keystone a waiver of the requirement that Keystone study a six-mile wide corridor and approved the use of a one-mile corridor, subject to the requirement that Keystone conduct additional studies with a potential adjustment if the Commission so directs to address specific concerns.

c. Section D.2.d.i – Location and Design. I am responsible for the first three paragraphs of this section which address the route selection process.

d. Section D.2.d.viii – Monitoring of Impacts. I am responsible for the discussion of Environmental Training, Environmental Inspection, and Post-Construction Monitoring and maintenance Programs.

e. Section D.2.d.ix – Utilization of Existing and Proposed ROWs and Corridors. This section addresses Keystone's evaluation of the potential use of existing right-of-ways and corridors in the state.

9. I am responsible for the following portion of Keystone's Application for a Route Permit:

   a. Section B.11 – Problems Raised by Federal Agencies, Other State Agencies, and Local Entities. I am responsible for the statement regarding concerns raised by the United States Army Corps of Engineers

Michael Koski

City of Calgary)

) ss.

Province of Alberta)

On the 20 day of July, 2007, before me personally appeared Michael Koski, known to me to be the same person described in and who executed the within and foregoing instrument and acknowledged to me that he executed the same.

Notary Public, State of Florida

(SEAL)

Notary Public State of Florida
Alvina G Stallworth
My Commission DD582911
Expires 06/08/2010

Trow

Michael J. Koski, P.Eng.
Vice President, Energy Services Division

Michael Koski is currently the Vice President of Energy Services with Trow Engineering Consultants Inc. He has been with Trow since 1988 when he was a project engineer in the Thunder Bay, Ontario office. In 1992, Mr. Koski was moved to Winnipeg to open and manage a Trow branch office in that location. In October 1995, Mr. Koski was appointed manager of the newly formed Pipeline Services Division and operates out of Tallahassee, Florida. Due to the unprecedented growth of the division and corresponding increase in the scope of services offered, the division was renamed the Energy Services Division in 1998.

Mr. Koski has extensive experience in engineering and environmental issues, particularly with respect to the pipeline and mining industries. This unique blend of expertise has enabled him to serve as a key execution team member for several major pipeline projects involving capital costs in excess of 1 billion dollars. His experience includes the design and construction planning of pipeline routes, pipeline river crossings, erosion and sediment control, right-of-way reinstatement planning, hydrology/hydraulic studies, slope and excavation stability assessments, dewatering system design, directional drilling assessments, construction control and environmental permit negotiations. He is considered an expert with regards to pipeline river crossings having provided expert testimony in hearings and litigation, served on technical panels, presented at industry conferences and authored several related manuals for governmental and industry.

Mr. Koski's project experience encompasses both the Canadian and US regulatory environments. He has considerable experience with both the NEB and FERC processes as they relate to natural gas pipeline projects.

The following references may be contacted to verify Mr. Koski's experience and performance with respect to project management of major pipeline projects.

Mr. Steve Marr
North American Pipeline Investments
Transcanada
(403) 920-2056

Mr. Larry Drader
Vice President
Alberta Energy Company
(403) 266-8306

EXHIBIT
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Education

B.Eng. in Civil Engineering, first class standing, Lakehead University, 1988

Basic Spills, Response, Lampton College of Applied Arts and Technology, 1989

IECA Short Courses: Erosion and Sediment Control, Bioengineering, Streambank stabilization, 1994 and 1995

Professional Affiliations

Association of Professional Engineers of Ontario
International Erosion Control Association

Employment

1999 – Present
Trow Engineering Consultants, Inc.
Vice President, Energy Services Division
Tallahassee, Florida, USA

1995 – 1999
Trow Engineering Consultants, Inc.
Manager, Pipeline Services Division
Tallahassee, Florida, USA

1992 – 1995
Trow Consulting Engineers, Ltd.
Winnipeg Branch Manager
Winnipeg, Manitoba, Canada

1988 – 1992
Trow Consulting Engineers, Ltd.
Project Engineer
Thunder Bay, Ontario, Canada

Typical Experience

Pipelines

- Designed route selection and review procedures for large diameter cross country pipeline projects and managed the multidisciplinary teams necessary to complete the selection process.
- Conducted preliminary route reviews involving the determination of features, which would ultimately affect the permitting, construction, operation or cost of a specific project. Reviews conducted using a combination of remote sensing and field reconnaissance techniques.
- Prepared numerous environmental management and construction plans for pipeline river and wetland crossings.
- Prepared and maintained project execution plans for the design and construction of pipeline systems.
- Championed environmental permitting activities including the development and implementation of negotiation strategy.
- Developed a technique to efficiently conduct sediment transport assessments to assess the degree and extent of impaired water quality and sedimentation expected to occur as a result of pipeline water crossings.
- Developed and evaluated specialized pipeline water crossing techniques.
- Evaluated the erosion potential and developed a system of erosion control planning for pipeline river crossings.
- Designed right-of-way reinstatement procedures and specifications and managed their subsequent implementation.
- Conducted extensive on-site inspections and managed teams of inspectors for various aspects of pipeline construction..
- Conducted desk top and field terrain analyses related to route selection and assessment.
- Managed the development of contract bid documents including project descriptions, contracts, drawings and specifications. Participated in the bid review and contractor selection process.
- Assisted in the development of Request for Proposal packages for Engineering and Procurement services.

Geotechnical

- Conducted geotechnical investigations for a variety of projects including: commercial buildings, municipal services, buried storage tanks, communication towers, pipe jacking and directional drilling operation, streets and highways, outfall structures and airports.
- Conducted groundwater and seepage studies for the clean up of contaminated properties, design of waste disposal sites and subsurface construction activities.

- Designed numerous dams, diversion berms, and spillways for mine tailings and water retention projects.
- Conducted granular borrow source evaluations involving the determination of the quantity and quality of aggregate present for concrete, asphalt and general fill purposes.
- Conducted excavation and slope stability evaluations.
- Designed and supervised the implementation of subsurface drainage systems.

Environmental and Water Resources

- Performed hydrologic and hydraulic studies for bridge and culvert design, marine construction planning, revetment design, and mine tailings disposal design.
- Prepared storm water management and sediment control plans for construction activities adjacent to sensitive streams and rivers.
- Performed assessments to determine the degree and extent of increased suspended solids concentrations and sedimentation expected to occur as a result of marine excavations.
- Supervised the clean up of environmentally hazardous materials including the delineation of contaminated areas, containment and removal.
- Supervised the performance of asbestos audits and the required abatement for numerous facilities.

Project Management

- Prepared project execution plans for the design and construction of pipelines, tailings dams, and other civil projects.
- Prepared schedule and budget reporting and control procedures.
- Provided long term on-site construction supervision.
- Formulated construction plans to define proposed construction methods, schedules, and environmental management procedures.

Key Projects

- Senior Design Engineer and Project Manager for Trow involvement for the Gulfstream Natural Gas System pipeline project involving approximately 750 miles of 36 inch and 24 inch pipeline from Mississippi and Alabama to Florida.

- Project Engineer and project management committee member for the Viking Voyageur Gas Transmission project, involving approximately 800 miles of 42" pipe from Emerson, Manitoba to Chicago, Illinois. Responsible for the development and execution of route selection, route review, and FERC filing data collection aspects of the project. Managed a team of professionals for the completion of these activities.

- Engineering Coordinator and project management committee member for the 512 mile US portion of the Express Oil Pipeline in Montana and Wyoming. Responsible for the development and execution of the environmental permitting strategy which involved the control of all state and federal agency negotiations, activities of consultants, and liaison with engineering, environmental and legal personnel.

- Geotechnical Coordinator for the Transgas de Occidente project in Colombia South America involving approximately 200 miles of 20" pipeline and 240 miles of small diameter laterals. Responsible for the development and review of construction and restoration procedures, route selection, and slope stability analysis. Managed a team of engineers to review right-of-way reinstatement activities during construction.

- Prime author of the Water Crossing Design and Installation Manual prepared for the American Gas Association. The manual includes guidance and specifications for the design, permitting, construction, restoration, and maintenance of pipeline water crossings in Canada and the United States.

- Managed the completion of geotechnical investigations and preparation of erosion and sediment control plans for over 3,000 kms of new large diameter (42" and 48") pipelines for TransCanada Mainline expansion in Quebec, Ontario, Manitoba and Saskatchewan. Supported agency negotiations for environmental permitting.

- Project Manager for the design for the Sunshine Pipeline project involving approximately 800 miles of 30" pipeline in Mississippi, Alabama, and Florida. Participated in the design of river crossings, permit application/negotiation and route selection/review activities before the project was canceled in 1994.

- Project Manager for engineering, procurement and construction management for 32 miles of water and slurry pipelines for the Stillwater Mining Company in Montana.

- Expert testimony for construction claim litigation associated with permitting and construction of a natural gas pipeline in eastern Canada.

- Route selection oversight for the Southern Natural Gas Palmetto Pipeline project.

- Water-crossing design and construction specification development for the Southern Natural Gas North Alabama Pipeline project.