

July 26, 2007

The Honorable Susan E. Wefald, President
North Dakota Public Service Commission
State Capital
Bismarck, North Dakota 58505

The Honorable Kevin Cramer, Commissioner
North Dakota Public Service Commission
State Capital
Bismarck, North Dakota 58505

The Honorable Tony Clark, Commissioner
North Dakota Public Service Commission
State Capital
Bismarck, North Dakota 58505

RE: Keystone Pipeline Route

Dear Commissioners Wefald, Cramer and Clark:

After the conclusion of a very long hot day in the basement of the Valley City Auditorium (7/23/07), I feel that I may have not answered your questions as well as I could have. Being refreshed, may I add just a couple more thoughts which you might find valuable?

Commissioner Wefald, I believe, asked me "If the route was outside the 500 foot setback from our home, would I find that satisfactory?" I believe my answer was "I don't know."

I believe I should have expanded on that response.

As I mentioned in my testimony, eventually I felt compelled to begin my own research which, like apparently many others, led me to the WEB Water Development Association document (which was eventually allowed as an exhibit on Monday.) Included in that document was a description of a pipeline accident in the year 2000 (TransCanda has an equity interest in El Paso Natural Gas Company) at Carlsbad, New Mexico in which a family camping 675 feet away perished. I don't know if 499 feet away or 501 feet away is safe (should we be considering ND Statute 69-06-08-02(2)(e).) Nor do I know assuredly that 675 feet is not safe or that 676 feet is. I would hope the Commissioner's staff could secure additional independent expert information in addition to what the applicant may provide about the subject. At this time, I cannot believe I will find my own safety resources which would calm my fears.

But since the applicant's apparent easements are asking for "one or more pipelines," I feel compelled to consider what future pipelines this applicant or its successors may desire to place in the easement corridor. Considering this, whatever security we may find with the current planned use of a crude oil pipeline, we may not have that same sense of security should there be an additional pipeline laid or a conversion of this crude oil pipeline to a different use. (Remember that the applicant's Canadian route includes a conversion.)

Had I known 3 years ago that my home site was in the path of a proposed pipeline, I can certainly say that I would not have built our new home where I felt I would be jeopardizing my family's safety 24 hours a day, 7 days a week, 365 days per year. As I tried to explain in my testimony, the earliest I was possibly notified of this pending threat was February 2007; two years after my new home was completed. I cannot believe that I could be compensated to move and salvage this home and the new building site to a more perceived safe distance. I am resigned to hope instead that the pipeline route can accomplish that task since the applicant has not begun construction or finished the regulatory application process. North Dakota has broad open spaces and my locality fits that description too. It feels so cruel that an engineer in an office space far removed from our community with a straight edge ruler can alter our quiet enjoyment of private property armed with just a pen to achieve his employer's desire to build this facility as economically as possible.

To conclude, as I did in my testimony, your position as Commissioners, I feel, may be our last line of defense.

Sincerely yours,

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