



OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF NORTH DAKOTA  
1707 North 9th Street  
Bismarck, North Dakota 58501-1882

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September 7, 2007

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Re: TransCanada Keystone Pipeline  
Consolidated Applications for a Certificate  
of Corridor Compatibility and a Route Permit, *etc.*  
PSC Case No. PU-06-421  
OAH File No. 20070181



Dear Counsel:

Enclosed is the exhibit list for the captioned hearing which I have filed today with the Commission. The court reporter has the exhibits for the preparation of the transcript of the hearing and will file those with the transcript. Please advise me accordingly if there may be any question about the identification or description of any exhibit.

I understand that TransCanada will file and serve late-filed exhibits on or about September 19, 2007; except the map files which comprise Exhibit T30 and the report which is Exhibit T36, and those will be filed as soon as can be reasonably prepared.

Further to our discussion for the filing of briefs and proposed findings of fact, conclusions of law, and an order upon the consolidated applications for a certificate of corridor compatibility and a route permit for the TransCanada Keystone Pipeline, I am confirming your agreement that TransCanada and the Interveners shall file simultaneous briefs, together with proposed findings of fact, conclusions of law, and an order, not later than October 12, 2007.

If counsel is unable to complete his brief, *etc.* as scheduled, he shall attempt to stipulate with opposing counsel and counsel for the Commission for an extension of time as necessary, and advise me of the stipulation by letter. If counsel is unable to obtain a stipulation for an extension of time he shall file and serve a motion for an extension of time.

Sincerely,

Al Wahl  
Administrative Law Judge

AW/eap

Encl.

cc: Mr. William W. Binek  
Public Service Commission  
Ms. Illona Jeffcoat-Sacco  
Public Service Commission

## EXHIBIT LIST

Matter	TransCanada Keystone Pipeline, LP Siting Application North Dakota Public Service Commission Case No. PU-06-421						
Hearing	Continued Hearing September 5 and 6, 2007						
No.	Description	Mkd	Idd	Ofd	W/D	Adm	Note
T1	slides for presentation					✓	
T2	application					✓	
T3	resume of Dean Cowling					✓	
T4	TransCanada draft of Tree and Shrub Mitigation Agreement					✓	
T5	PSC draft of Tree and Shrub Mitigation Agreement					✓	
T6	resume of Mike Koski					✓	
T7	map of Wittenberg homesite					✓	
T8	map of Matthews homesite					✓	
T9	map of Fordville Aquifer showing alternative routes					✓	
T10	Fordville Aquifer alternate route comparison chart					✓	
T10a	revised Fordville Aquifer alternate route comparison chart showing acres of wetlands crossed						late-filed exhibit
T11	map of Lake Ashtabula showing alternative routes					✓	
T12	Lake Ashtabula alternate route comparison chart					✓	
T13	resume of Scott Ellis					✓	

T14	waivers of 500-foot area avoidance forms					✓	
T15	resume of Buster Gray					✓	
T16	map of Bures route variance					✓	
T17	map of Zacharias route variance					✓	
T18	map showing pipeline location in developed area					✓	
T19	resume of Heidi Tillquist					✓	
T20	Photographs of Bemidji pipeline spill location					✓	
T21	map of Fordville Aquifer water flow					✓	
T22	chart of Fordville Aquifer water flow					✓	
T23	maps of McVille Aquifer water flow					✓	
T24	chart of McVille Aquifer water flow					✓	
T25	resume of Meera Kothari					✓	
T26	resume of Brian Thomas					✓	
T27	draft of Emergency Response Plan (ERP)					✓	
T28	directional drilling plan for placement of pipeline in the Pembina Gorge						late-filed exhibit
T29	chart of estimated noise levels for pipeline pump stations relative to locations of residences and business						late-filed exhibit

T30	ESRI ArcMap files, .shp files, and layer files; .lyr files that produce the maps included in the application, as well as other ArcMap files used in the analysis of acres, land use, wooded areas, aquifers, surface water, well head protection areas and other public and private water wells, <i>etc.</i>						late-filed exhibit
T31	report of outreach to ND Department of Parks and Recreation re pipeline location						late-filed exhibit
T32	report of follow-up of landowners' testimony of improper conduct of TransCanada agents for easement acquisition						late-filed exhibit
T33	report identifying areas requiring right-of-way in excess of fifty feet						late-filed exhibit
T34	report of available data regarding pipeline spills in North Dakota, including miles of pipeline, size of spill, and barrels per day of spill						late-filed exhibit
T35	copies of all correspondence with state agencies identified by N.D. Admin. Code §§ 69-06-01-05 and 69-06-04-01(3)						late-filed exhibit
T36	report of use of external leak protection systems						late-filed exhibit
T37	map showing easement acquisitions for pipeline right-of-way five miles north and south of Lankin, North Dakota						late-filed exhibit
RS1	plat drawing					✓	

I1	Frequency—Volume Study of Keystone Pipeline					✓	
RS2	map					✓	
RS3	photograph					✓	
RS4	newspaper clippings					✓	
RS5	photographs					✓	
MN1	VHS video recording					✓	
MN2	topographic map					✓	
MN3	publication					✓	
JC1	aerial photo of Capp lands					✓	
JC2	"					✓	
JC3	"					✓	
JC3	"					✓	
TB1	title page of report					✓	
FB1	aerial photos of Indian mounds					✓	
MK1	portion of publication					✓	
DO1	letter from Duane Otto, Cavalier Rural Electric and Fargo Forum clipping 7/21/07					✓	
PM1	TransCanada easement agreement offered Paul Matthews					✓	