**STATE OF NORTH DAKOTA**

**PUBLIC SERVICE COMMISSION**

**TransCanada Keystone Pipeline, LP**
**30-Inch Crude Oil Pipeline/Cavalier to Sargent Counties**
**Siting Application**

**Case No. PU-06-421**

**AFFIDAVIT OF SERVICE BY ORDINARY MAIL**

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

**Shelly A. Bauske** deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **8th day of October, 2007**, she deposited in the United States Mail, Bismarck, North Dakota, five envelopes by first class mail, fully prepaid, securely sealed, each containing a photocopy of:

**Letter of October 8, 2007 with attachment**

The envelopes were addressed as follows:

Todd D. Kranda
Attorney
Kelsch Kelsch Ruff & Kranda
PO Box 1266
Mandan ND 58554-1266

Thomas D. Kelsch
Attorney
Kelsch Kelsch Ruff & Kranda
PO Box 1266
Mandan ND 58554-1266

Gary R. Leistico, Attorney for
The Dakota Resource Council
Rinke Noonan, Attorneys at Law
1015 W. Germain St.
Suite 300, US Bank Plaza
PO Box 1497
St. Cloud, MN 56302-1497

Dean Cowling, Project Manager
Keystone TransCanada
Pipelines Limited
PO Box 1000, Station M
450 1st Street SW
Calgary, Alberta Canada T2P 5H1

John and Janie Capp
12466 60th St. NE
Lankin, ND 58250

Each address shown is the respective addressee's last reasonably ascertainable post office address.

Shelly A Bauske

Subscribed and sworn to before me
this **8th day of October, 2007**.

Susan K Richter
Notary Public

SEAL

SUSAN K RICHTER
Notary Public
State of North Dakota
My Commission Expires June 15, 2010

# Public Service Commission
State of North Dakota

COMMISSIONERS

Susan E. Wefald, President
Kevin Cramer
Tony Clark

Executive Director
Illona A. Jeffcoat-Sacco

600 E. Boulevard Ave. Dept 408
Bismarck, North Dakota 58505-0480
web: www.nd.gov/psc
e-mail: ndpsc@nd.gov
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Fax 701-328-2410
Phone 701-328-2400

October 8, 2007

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Re: Commission Case Number PU-06-421
TransCanada Keystone Pipeline, LP
30-Inch Crude Oil Pipeline/Cavalier to Sargent Counties
Siting Application

Dear Sirs and Madam,

This letter is to notify you that on October 5, 2007, the Public Service Commissioners received the attached letter. The Commission is placing this letter in the Commission's official record in the captioned case.

Under N.D.C.C. Section 28-32-25, you are afforded an opportunity, upon written request to examine the information, present your own information, or cross examine regarding this information.

If you have questions regarding this letter of the official notice, please do not hesitate to call, e-mail, or write.

Best regards,

Illona A. Jeffcoat-Sacco
Executive Director
Director, Public Utilities Division

pfk

enclosure—copy of letter of October 4, 2007

CITY OF Fargo

Mayor Dennis R. Walaker
200 3rd Street North
Fargo, North Dakota 58102
Phone (701) 241-1310
Fax (701) 476-4136

October 4, 2007

Mr. Tony Clark
Public Service Commissioner
12th Floor State Capitol
600 E. Boulevard Avenue, Dept. 408
Bismarck, ND 58505-0480

Dear Commissioner Clark:

On behalf of the City of Fargo, I am writing to request that the Canadian pipeline construction permit that is being proposed to be located in eastern North Dakota be denied unless and until there are significantly greater protections added and Manitoba private and governmental entities adopt a realistic and practical approach to cross boarder activities.

Manitoba private and governmental entities have a long history of protesting projects in North Dakota that, without scientific or engineering foundation, they claim will alter or damage their environment. Given the nature of this project, it is without question that environmental risks must be thoroughly identified and steps taken to prevent or mitigate. I believe it is safe to say that a petroleum pipeline running through our state presents great risk to North Dakota's environment. Only after all such risks are identified, protected against and mitigated can such a project be considered. However, protection and mitigation are just the starting point. Equally important is a practical cooperative approach by Manitoba entities to any water project being developed in North Dakota.

Our initial concern results from the fact that the City of Fargo has rights to water behind the Baldhill dam. Fargo annually draws water out of the Sheyenne River which is fed by the Baldhill dam. This water is used for domestic City needs and our continuing need for public health and safety demand care when dealing with this resource. If this proposed pipeline were to rupture and its content spill into the Sheyenne River, such an incident would dramatically jeopardize public health in Fargo. We cannot let this high risk venture compromise our ability to secure water from the Sheyenne River.

If this pipeline is a high priority to the company proposing its construction, I believe the proponents should select a location outside of North Dakota unless and until adequate protections are identified and put in place and an attitude of cross-boarder realism to problem solving comes to exist.

Thank you for considering our request.

Sincerely,

Dennis R. Walaker
Mayor

cc: Governor John Hoeven
City Administrator Pat Zavoral
Bruce Furness, LAWA

Fargo-Moorhead All-America City 2008

Printed on Recycled paper.