

Zeimer, Lisa D.

From: Binek, William W.
Sent: Thursday, November 08, 2007 9:38 AM
To: -Grp-PSC Commissioners
Cc: -Grp-PSC Public Utilities; -Grp-PSC Legal
Subject: FW: TransCanada Keystone Pipeline, LP, North Dakota Public Service Commission Case No. PU-06-421

William W. Binek
Chief Counsel
ND Public Service Commission
600 East Boulevard Avenue, Dept. 408
Bismarck ND 58505-0480
Phone: 701-328-4088
Fax: 701-328-2410
wbinek@nd.gov

From: Wahl, Al
Sent: Thursday, November 08, 2007 9:32 AM
To: John Capp and Janie Capp
Cc: Thomas D. Kelsch; Todd D. Kranda; Nicholas R. Delaney; Erick R. Johnson; page.adele@dorseyllaw.com; Binek, William W.
Subject: TransCanada Keystone Pipeline, LP, North Dakota Public Service Commission Case No. PU-06-421

Mr. and Mrs. Capp, if Rinke Noonan will not represent Dakota Resource Council for the further proceedings to be had for the captioned matter, you will have to decide and advise me whether and how you will participate for these further proceedings as intervenors. Will you participate as a lawyer may do to make an opening statement, question witnesses, testify and offer exhibits, *etc.*? (Understanding, of course, that the scope of the further proceedings will be strictly limited to the evidence which the City of Fargo and TransCanada will offer. You may not, for example, offer evidence for any further proceeding concerning the effect of the location of the proposed pipeline on your land or the risks of the operation of the pipeline generally.) Please give this matter some thought. If Rinke Noonan will not represent Dakota Resource Council and the individual intervenors, I will schedule a prehearing conference to discuss with you and the other intervenors your participation for the further proceedings. Regards, Al Wahl.