

## Fahn, Patrick J.

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**From:** Todd Kranda [kranda@kelschlaw.com]  
**Sent:** Tuesday, May 13, 2008 2:04 PM  
**To:** -Info-Aeronautics Commission; -Info-Dept. of Agriculture; -Info-Attorney General; Dwelle, Terry L.; -Info-DHS Executive Office; -Info-Labor Dept.; -Info-Dept. of Career & Technical Education; Lucy, Paul J.; Engleson, Jeff A.; -Info-Game & Fish Dept.; Murphy, Ed C.; -Info-Governor's Office; -Info-Dept. of Transportation; Paaverud, Merl E.; Kulas, Cheryl M.; Brostrom, Darren W.; Preszler, Gary D.; -Info-Parks & Recreation; Govig, Paul T.; scott.hochhalter@ndsu.edu; -Info-State Water Commission; Daley, Maren L.  
**Cc:** Fahn, Patrick J.; Binek, William W.; 'Thomas D Kelsch'  
**Subject:** RE: Notice of Deadline for Any Comment to PSC by 5:00 PM central Friday May 16, 2008  
**Attachments:** Keystone - Ten Maps for 4-7-08 Motion .pdf; Keystone - Outline for 4-7-08 Motion.pdf; Keystone - Five maps for 4-29-08 Motion.pdf; 7b Exhibit E - Map - Sheyenne River Crossing\_RE-ROUTE (Overall)20080421.pdf

PS - As additional information to assist you in identifying the specific areas involved with the April 7, 2008 Motion for reroutes and with the April 29, 2008 Motion for 5 route refinements as well as the proposed route for the Sheyenne River area between mileposts 168 and 170, attached please find PDF copies of the following:

1. Outline of Route Variations for the April 7, 2008 Motion;
2. Maps (10) with milepost locations noted to use with cross reference to the route refinement areas as described on outline for April 7, 2008 Motion;
3. Maps (5) for the pending route refinements with specific individual landowners for the April 29, 2008 Motion; and
4. Map for proposed route between mileposts 168 and 170 with the Sheyenne River crossing area.

If you have any questions or need any further details please feel free to contact the PSC or me.

Todd

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**From:** Todd Kranda [mailto:kranda@kelschlaw.com]  
**Sent:** Monday, May 12, 2008 7:28 PM  
**To:** 'ndaero@nd.gov'; 'ndda@nd.gov'; 'ndag@nd.gov'; 'tdwelle@nd.gov'; 'dhseo@nd.gov'; 'labor@nd.gov'; 'cte@nd.gov'; 'plucy@nd.gov'; 'jengleso@nd.gov'; 'ndgf@nd.gov'; 'emurphy@nd.gov'; 'governor@nd.gov'; 'dot@nd.gov'; 'mpaaverud@nd.gov'; 'ckulas@state.nd.us'; 'dbrostro@nd.gov'; 'gpreszle@nd.gov'; 'parkrec@nd.gov'; 'pgovig@nd.gov'; 'scott.hochhalter@ndsu.edu'; 'swc@nd.gov'  
**Cc:** 'Fahn, Patrick J.'; 'Binek, William W.'; 'Thomas D Kelsch'  
**Subject:** Notice of Deadline for Any Comment to PSC by 5:00 PM central Friday May 16, 2008

May 12, 2008

Notice to State Agencies and Officials as Identified Pursuant to Section 69-06-01-05 ND Admin Code:

TransCanada Keystone Pipeline has previously filed with the North Dakota Public Service Commission (PSC) a Motion dated April 7, 2008 for approval of certain reroutes and a subsequent Motion dated April 29, 2008 for approval of five pending route refinements. These two Motions are both on file with the PSC.

A formal Notice of Filing was previously served by mail on each agency and state official for each of these individual motions. A copy of each Notice of Filing with the Affidavit of Service are attached to this email for your reference.

The PSC has requested that Keystone provide email notice to each agency and state official with a deadline for comment on these two pending Motions that have been filed with the PSC. This email is intended to be such notification to you that any comments on the pending motions be provided in writing to the PSC located at 600 East Boulevard - Dept 408

in Bismarck, with a copy of such written comments also mailed to the undersigned, by **no later than 5:00 p.m.** central time on **Friday, May 16, 2008.**

Thank you for your attention to this matter.

Sincerely,

Todd D. Kranda  
Attorney for TransCanada Keystone Pipeline

c: Partick Fahn, Staff with Public Service Commission  
William W. Binek, Attorney for Public Service Commission  
Thomas D. Kelsch, Attorney for TransCanada Keystone Pipeline

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**MAY 13 2008**

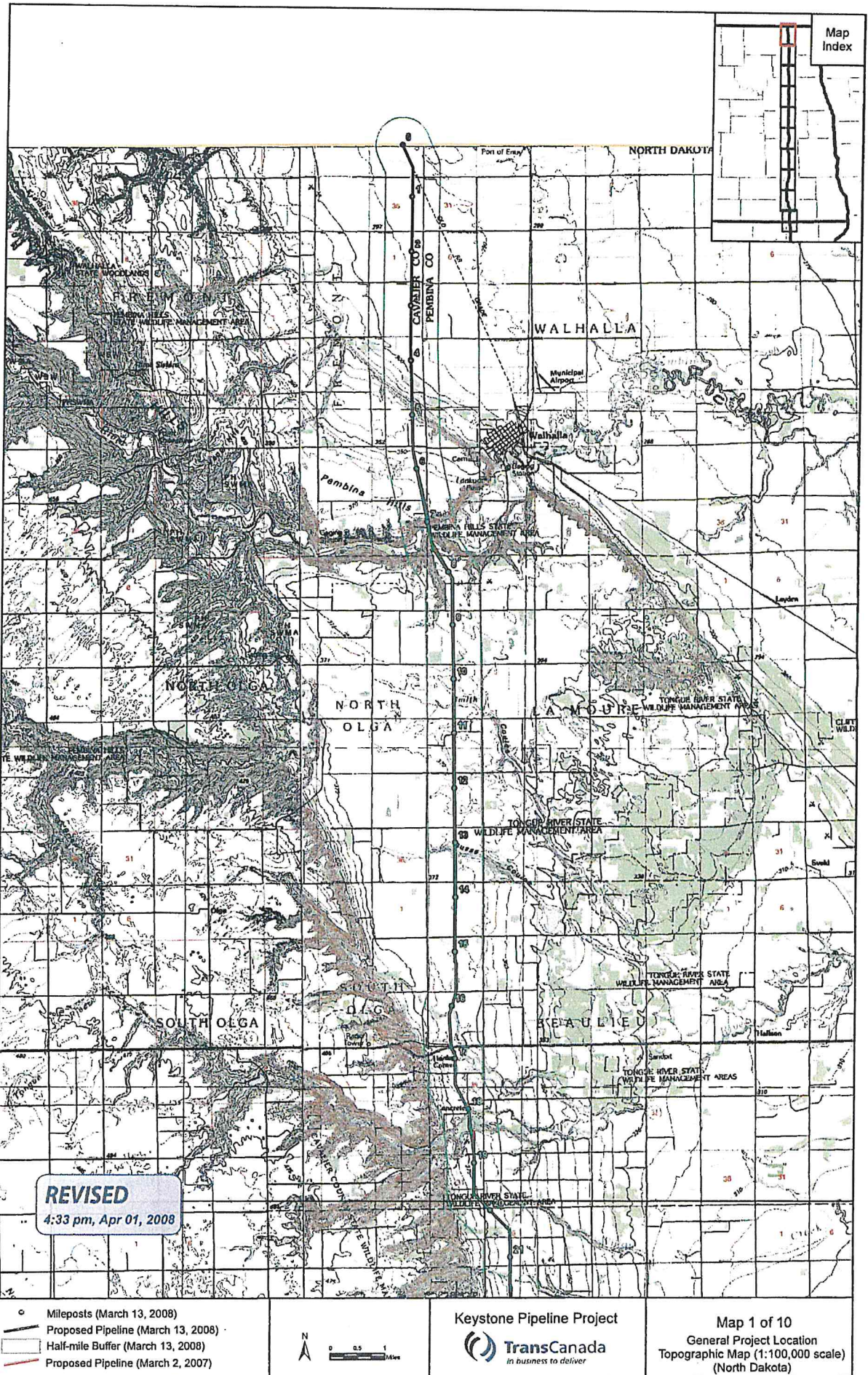
**PUBLIC SERVICE COMMISSION**

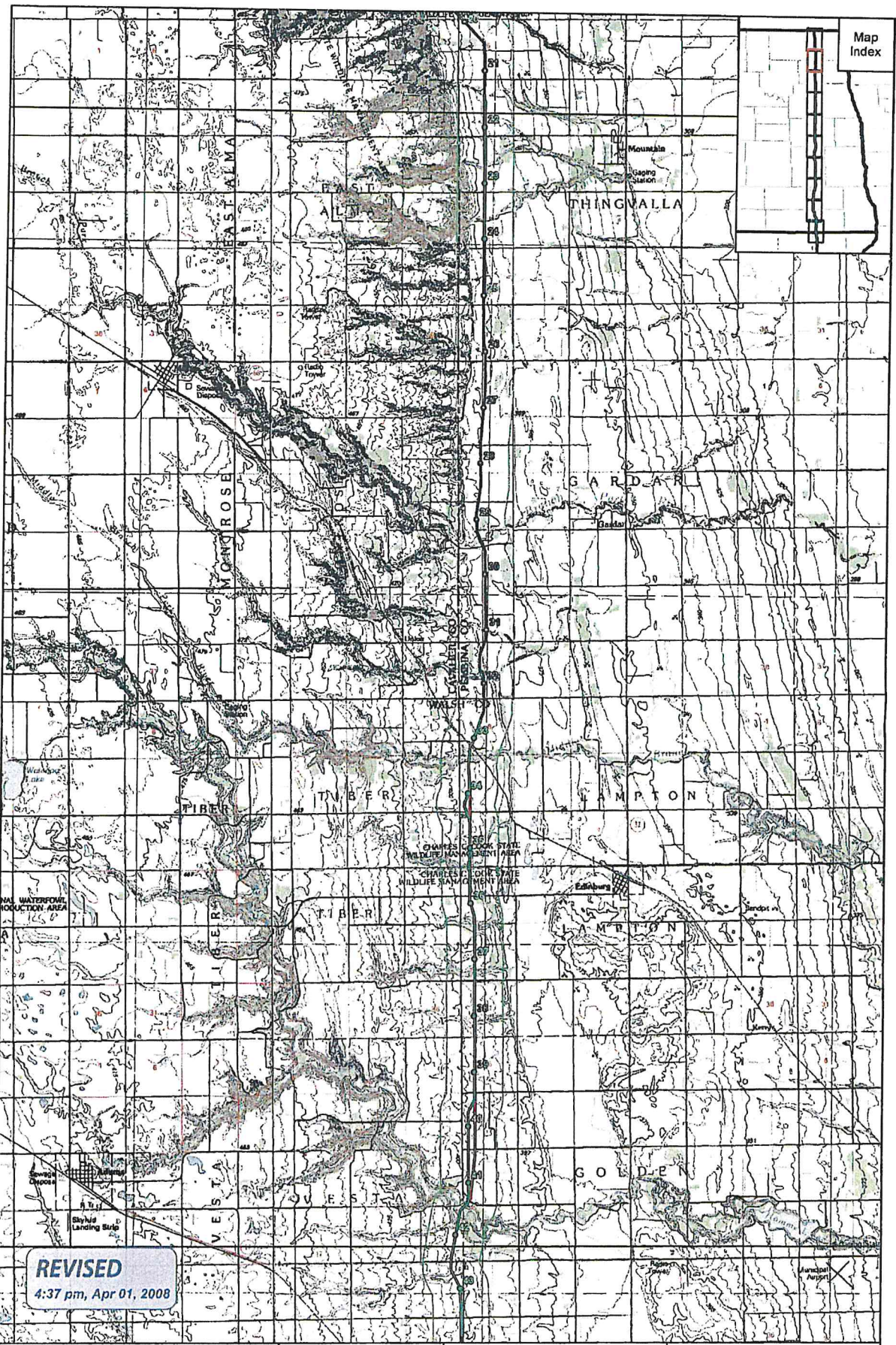
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KELSCH KELSCH RUFF & KRANDA

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Todd D. Kranda  
Kelsch Kelsch Ruff & Kranda  
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**457 PU-06-421** Filed: 5/13/2008 Pages: 19  
**Email re Notice to State Agencies and Officials -  
additional information**





**REVISED**  
4:37 pm, Apr 01, 2008

- Mileposts (March 13, 2008)
- Proposed Pipeline (March 13, 2008)
- ▭ Half-mile Buffer (March 13, 2008)
- ▭ Proposed Pipeline (March 2, 2007)

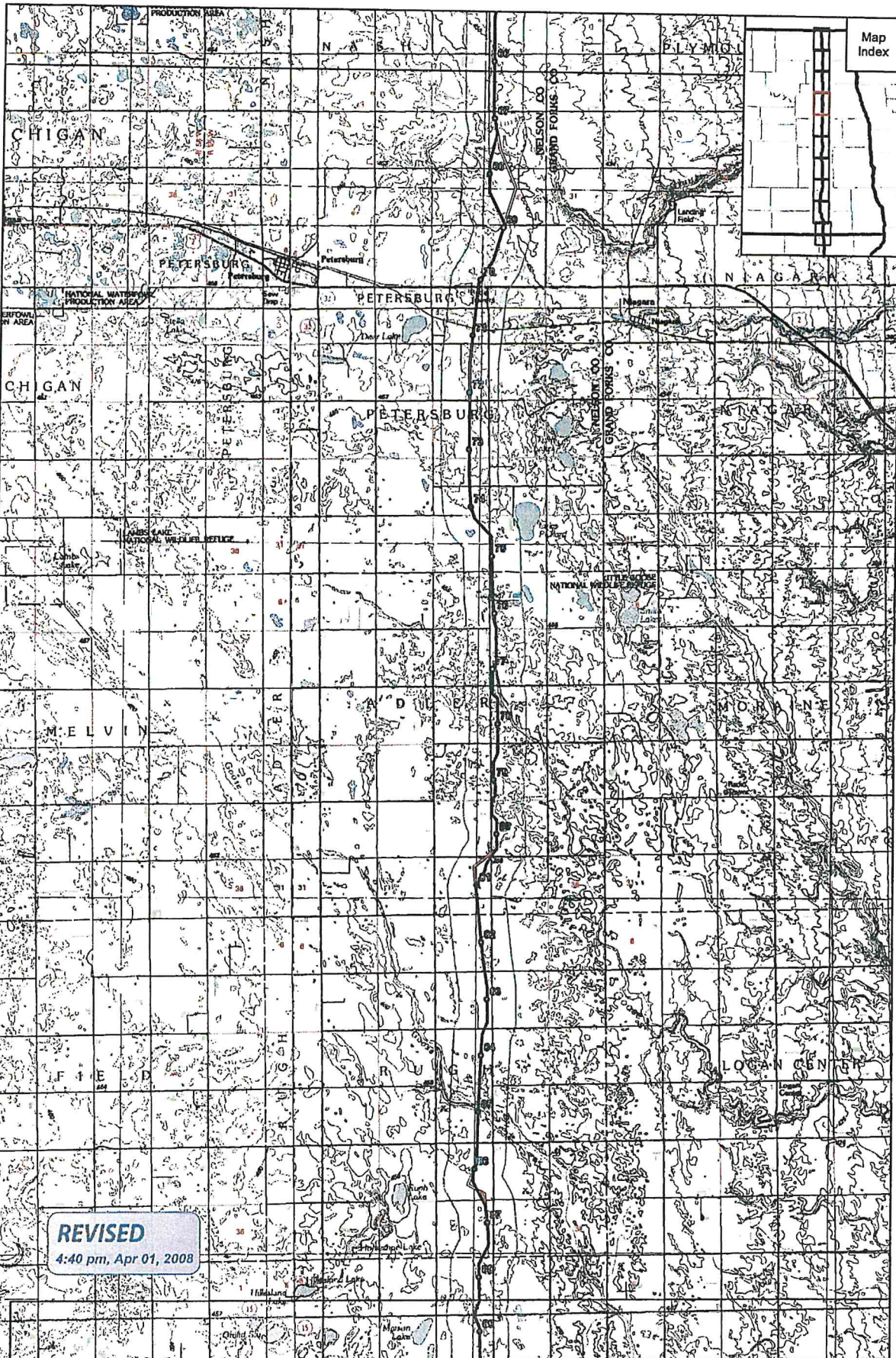


**Keystone Pipeline Project**  
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**Map 2 of 10**  
 General Project Location  
 Topographic Map (1:100,000 scale)  
 (North Dakota)

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**REVISED**  
4:40 pm, Apr 01, 2008

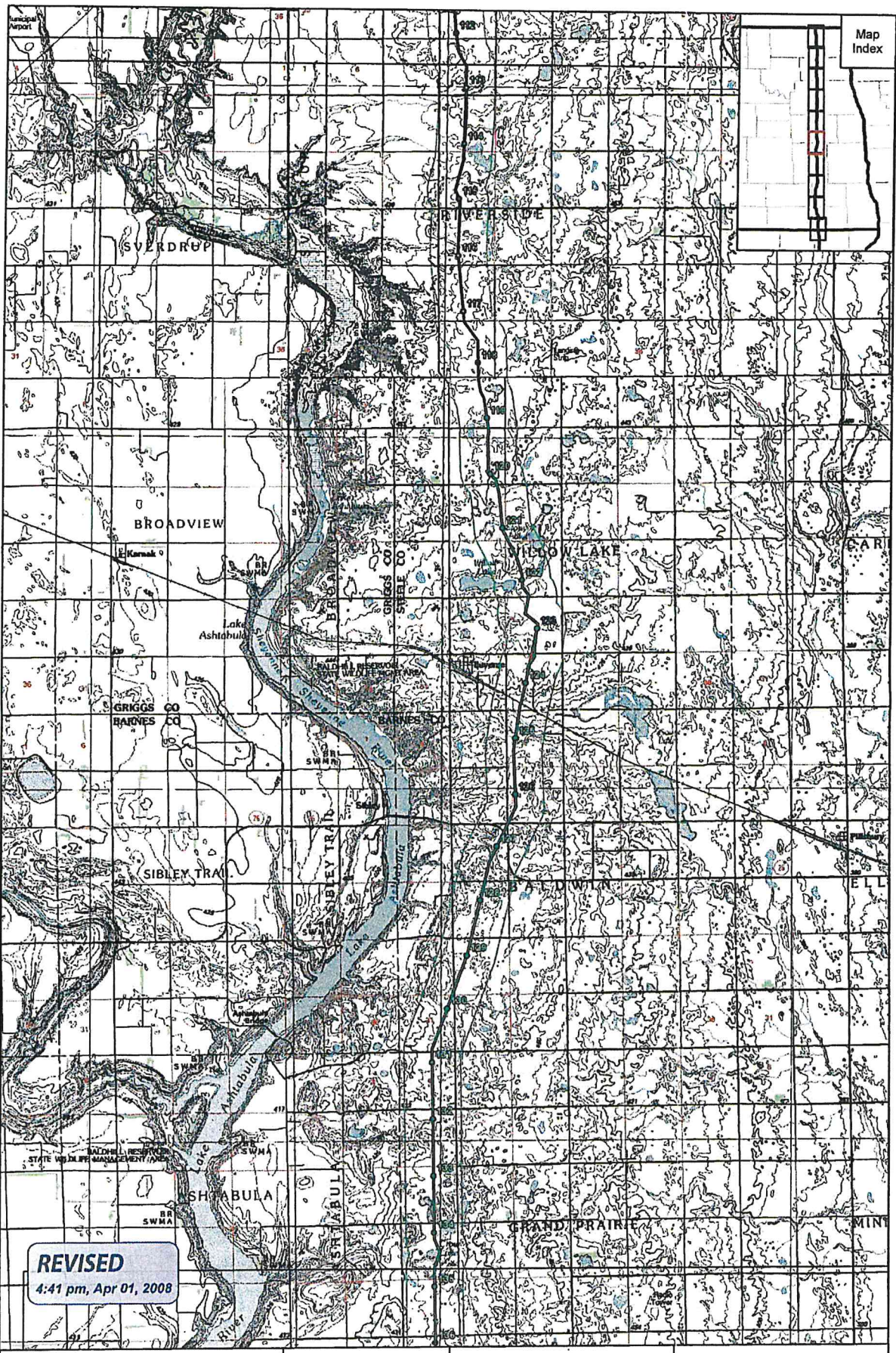
- Mileposts (March 13, 2008)
- Proposed Pipeline (March 13, 2008)
- ▭ Half-mile Buffer (March 13, 2008)
- ▭ Proposed Pipeline (March 2, 2007)



**Keystone Pipeline Project**  
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**Map 4 of 10**  
 General Project Location  
 Topographic Map (1:100,000 scale)  
 (North Dakota)





**REVISED**  
4:41 pm, Apr 01, 2008

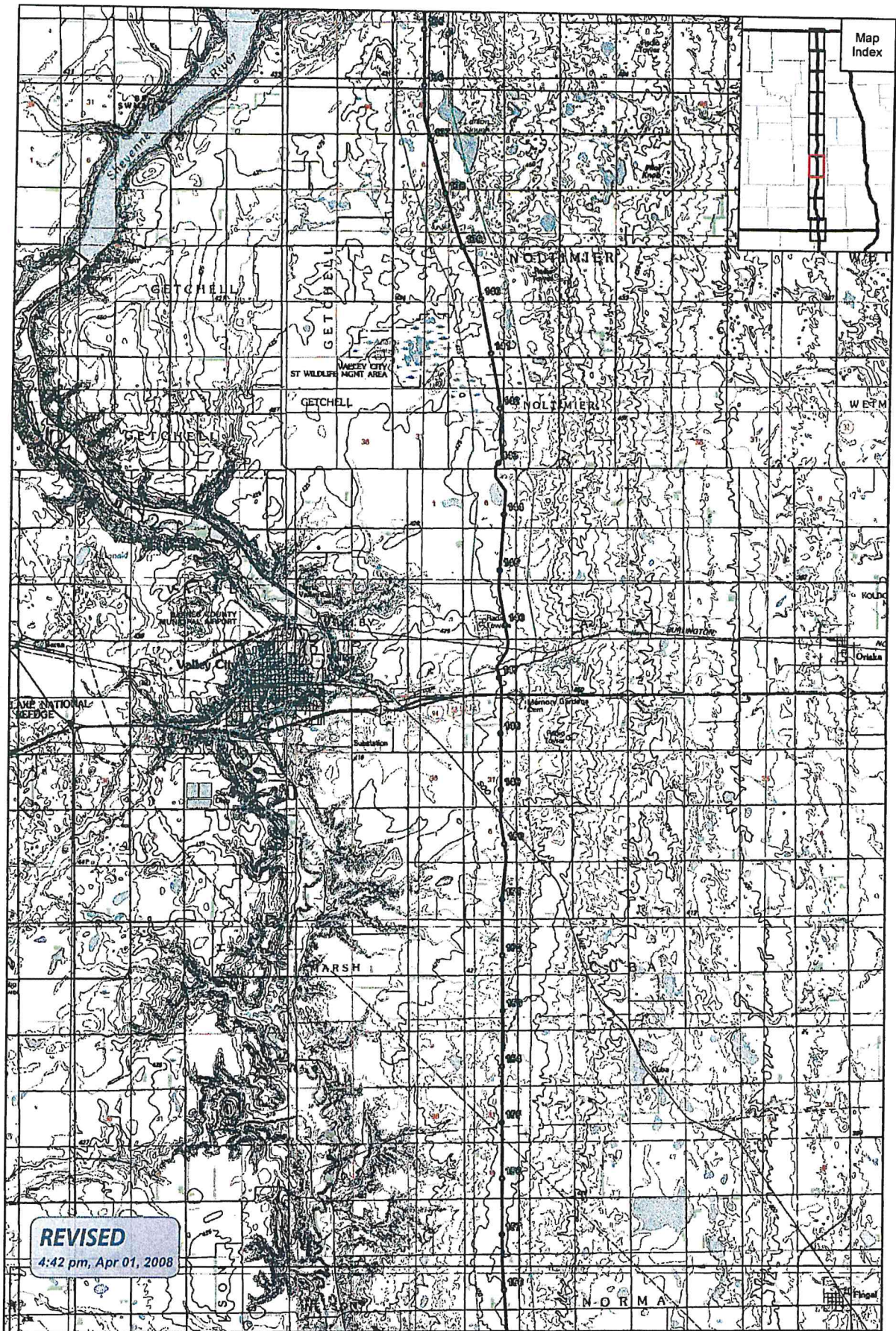
- Mileposts (March 13, 2008)
- Proposed Pipeline (March 13, 2008)
- ▭ Half-mile Buffer (March 13, 2008)
- ▭ Proposed Pipeline (March 2, 2007)



Keystone Pipeline Project

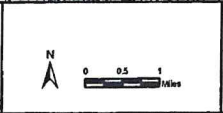
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Map 6 of 10  
General Project Location  
Topographic Map (1:100,000 scale)  
(North Dakota)



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4:42 pm, Apr 01, 2008

- Mileposts (March 13, 2008)
- Proposed Pipeline (March 13, 2008)
- ▭ Half-mile Buffer (March 13, 2008)
- ▭ Proposed Pipeline (March 2, 2007)

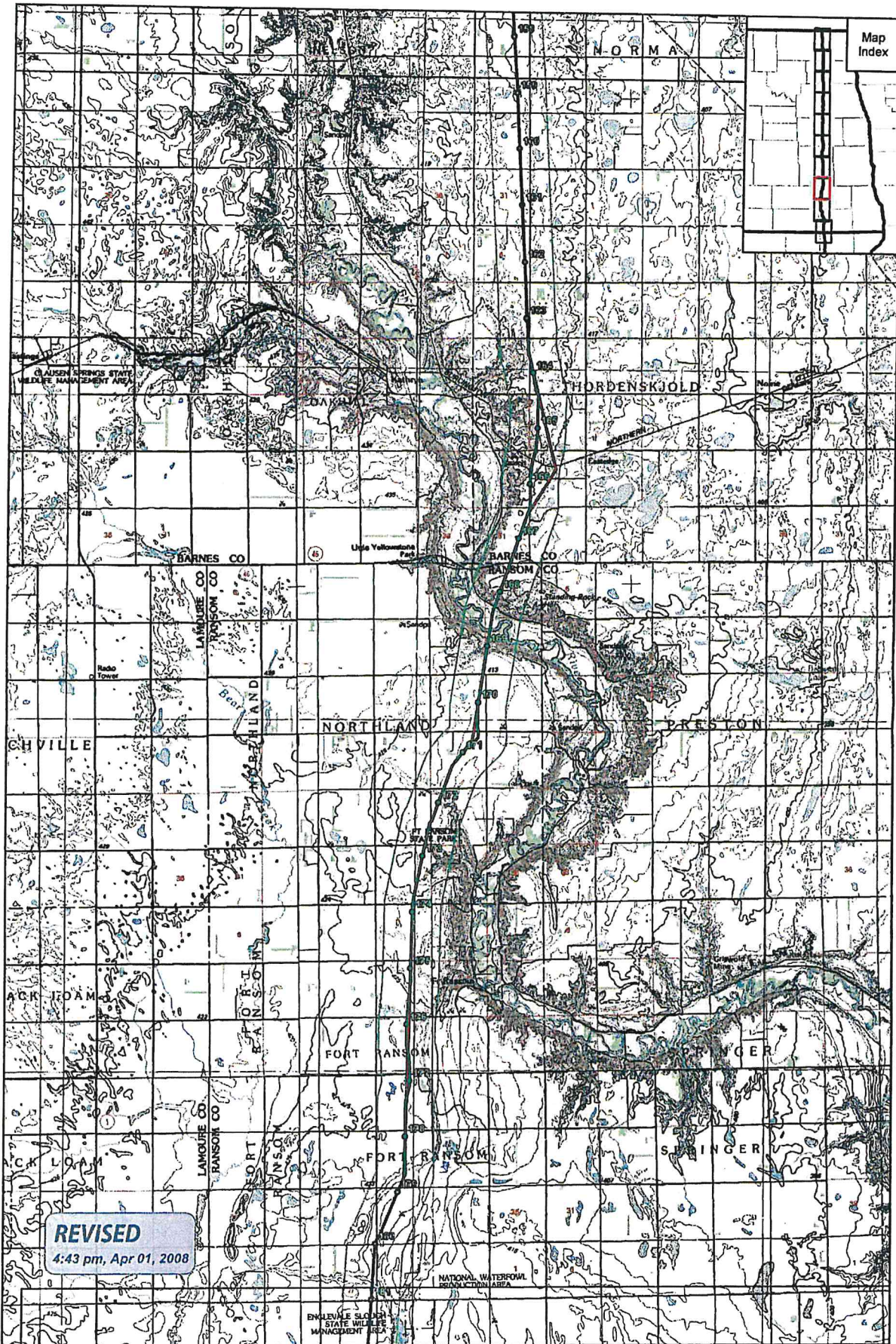


Keystone Pipeline Project

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Map 7 of 10  
General Project Location  
Topographic Map (1:100,000 scale)  
(North Dakota)

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4:43 pm, Apr 01, 2008

- Mileposts (March 13, 2008)
- Proposed Pipeline (March 13, 2008)
- ▭ Half-mile Buffer (March 13, 2008)
- ▭ Proposed Pipeline (March 2, 2007)



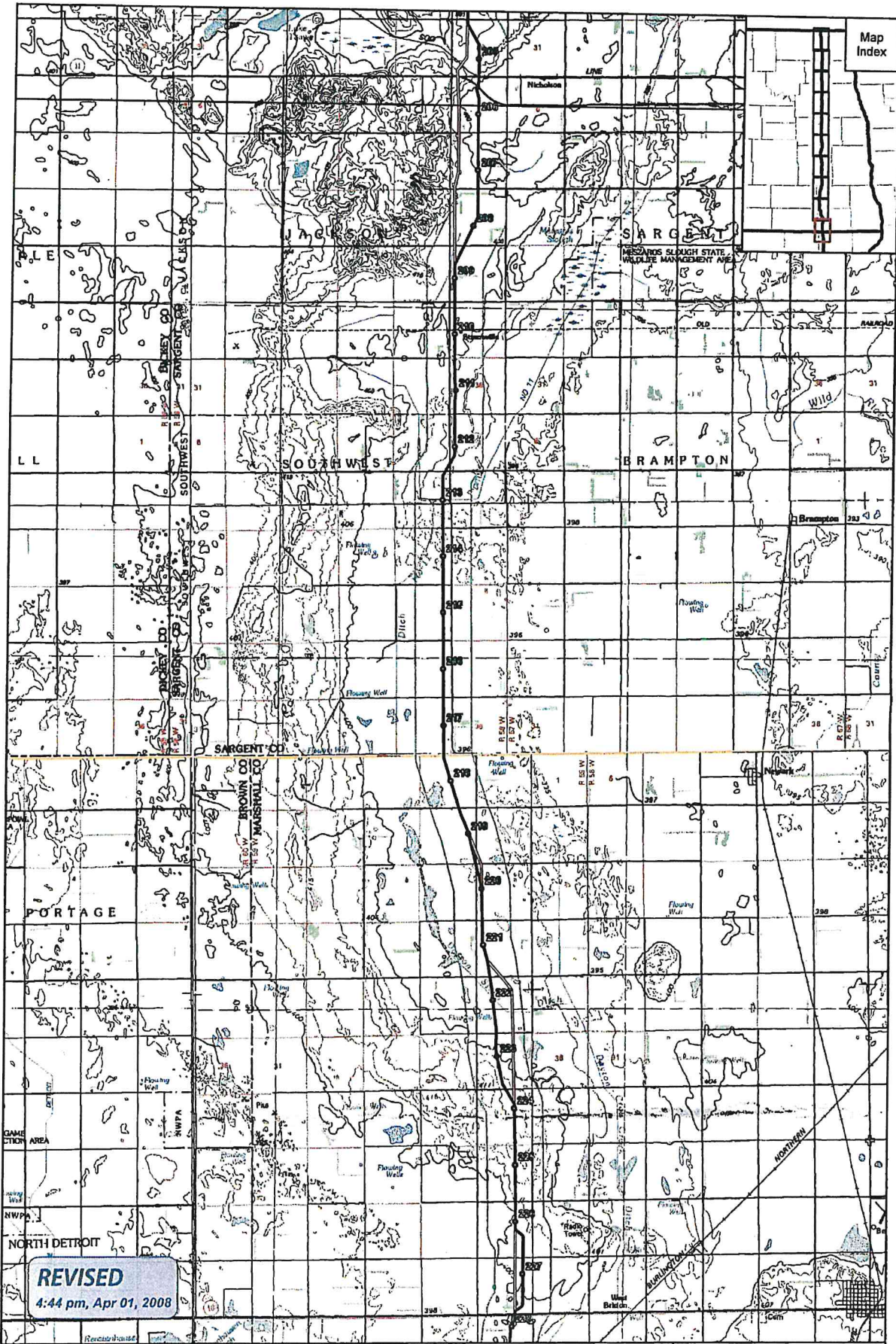
Keystone Pipeline Project



Map 8 of 10  
General Project Location  
Topographic Map (1:100,000 scale)  
(North Dakota)

Source: U.S. Geological Survey, 1:100,000 scale, 1997 edition, with updates to 2007. Data provided by TransCanada.

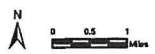




Map Index

**REVISED**  
4:44 pm, Apr 01, 2008

- Mileposts (March 13, 2008)
- Proposed Pipeline (March 13, 2008)
- Half-mile Buffer (March 13, 2008)
- Proposed Pipeline (March 2, 2007)



Keystone Pipeline Project



Map 10 of 10  
General Project Location  
Topographic Map (1:100,000 scale)  
(North Dakota)



JAMES BELANUS - TERESA BELANUS

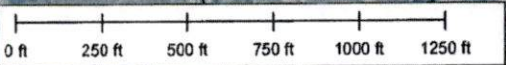


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TROW PROJ. No.: THES00503685  
 DRAWN BY: TB  
 CHECKED BY: SS  
 DATE: APRIL 28, 2008

KEYSTONE PIPELINE PROJECT  
 ROUTE VARIATION: 354-ND-4.0-3.1-S  
 DRAWING No.: ND-354-1  
 REV. 0



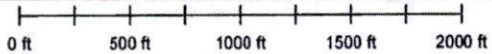


MARGARET BETTENDORF

DEBRA LETKEMAN

RANDY CARIGNAN - ROGER CARIGNAN - ROBERT MEECE

D HOOEY

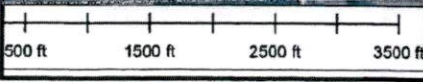




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TROW PROJ. No.:	THES0060368S
DRAWN BY:	TB
CHECKED BY:	SS
DATE:	APRIL 28, 2008

<b>KEYSTONE PIPELINE PROJECT</b>	
ROUTE VARIATION: 355-ND-14.1-15.2-8	
DRAWING No.:	REV.
ND-355-1	0



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TROW PROJ. No.:	THES00603863	DRAWING No.:		ND-356-1
DRAWN BY:	TB	REV.		0
CHECKED BY:	SS			
DATE:	APRIL 28, 2008			

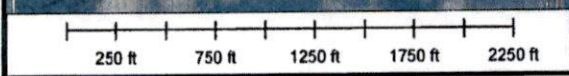


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DRAWN BY:	TB
CHECKED BY:	SS
DATE:	APRIL 28, 2008

<b>KEYSTONE PIPELINE PROJECT</b>	
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DRAWING No.:	MD-357-1
REV.	0



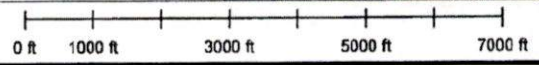


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TROW PROJ. No.:	THES0050386S
DRAWN BY:	TB
CHECKED BY:	SS
DATE:	APRIL 28, 2008

<b>KEYSTONE PIPELINE PROJECT</b>	
ROUTE VARIATION: KLEIN & STARKE REROUTE	
DRAWING No.:	ND 358-1
REV.	0



M - WILLIAM

**KEYSTONE PIPELINE PROJECT**  
**Revision 1 - North Dakota Route Variations Since Keystone's Application for Permit**  
**April 17, 2008**

Route Variation Number	Begin MP	End MP	Drawing Number	Reason for Route Variation	Easement Acquired	Agency Concurrence	Comments
233-ND-58.2-40.5-S	39.2	40.5	ND-233-1	Increase clearance from 487 ft to 551 ft from Linnhardt Almen residence, eliminate clearing of shelter belt	Yes	N/A	
234-ND-67.2-68.5-S	67.2	68.9	ND-234-1	Landowner request (Kruger) shift alignment to west property line staying minimum of 60 ft east of tree drop line	Yes	N/A	
235-ND-68.4-97.2-S-rev1	96.4	97.2	ND-235-1-rev1	Rev 1 of previous re-route for MP 96.4 to MP 97.5. Increase clearance from residence (Vig) from 176 ft to 501 ft	Yes	N/A	
236-ND-205.7-208.1-S	205.7	208.1	ND-236-1	Increase clearance of residence (Mathews) at MP 206.33 from 228 ft to 845 ft. and residence (Hammering) at MP 207.76 from 373 ft to 585 ft.	No	N/A	This route variation voided and replaced by route variation 336-ND-204.5-208.9-S per landowner request.
236-XX-60.2-363.0-S	60.2	61.1	ND-236-1	This variation avoids USFW wetland easements after field surveys were conducted with the USFW	Yes	Yes	
236-XX-60.2-363.0-S	62.5	63.1	ND-236-2	This variation avoids USFW wetland easements after field surveys were conducted with the USFW	Yes	Yes	
236-XX-60.2-363.0-S	108.4	110.1	ND-236-3	This variation avoids USFW wetland easements after field surveys were conducted with the USFW	Yes	Yes	
236-XX-60.2-363.0-S	137.3	138	ND-236-4	This variation avoids USFW wetland easements after field surveys were conducted with the USFW	Yes	Yes	
236-XX-60.2-363.0-S	170.6	171.4	ND-236-5	This variation avoids USFW wetland easements after field surveys were conducted with the USFW	Yes	Yes	
236-XX-60.2-363.0-S	175.7	177.6	ND-236-6	This variation avoids USFW wetland easements after field surveys were conducted with the USFW	Yes	Yes	
240-ND-141.8-142.6-S	141.8	142.6	ND-240-1	Variation to avoid 500' clearance from residence (Wittenberg)	Yes	N/A	
245-XX-XXX-XXX-S	16.7	15.7	ND-245-1	V-03 (mainline) was moved off of HWY 5, 1 mile north to the north side of 9th St. New MP 15.7	Yes	N/A	
246-XX-XXX-XXX-S	100.1	100.1	ND-246-1	Requested by TQPL to place a valve between pump station locations which do not contain intermediate valves, added V-55. MP 100.1 Steele County, on south side of 12th St.	Yes	N/A	
260-XX-XXX-XXX-S	5.7	8.1	ND-260-1	This variation accounts for adjustments to the centerline to accommodate an HDD Peabody River. This variation removes P 1 out of drill and places pultacs along ROW	Yes	N/A	
267-ND-88.7-90.3-I	89.7	90.3	ND-267-1	Moved back to original alignment due to landowner (Larson) draining wetland, shorten length for less impact	Yes	N/A	
269-ND-164.6-167.0-S	164.6	167	ND-269-1	Landowner Vaughn Zacharias, suggested route to avoid potential additional arch sites and to increase offset from residence.	Yes	N/A	
270-ND-46.0-47.0-I	46	47	ND-270-1	Landowner Request to avoid burial mounds (Bures) moved back to original Sept 08 centerline	Partial	N/A	Landowner Kratochvil to south Bures tract was not agreeable to original pipeline route nor to this route variation.
275-ND-39.5-41.3-I	39.5	41.3	ND-275-1	Landowner request to avoid newly planted trees (Almen)	Yes	N/A	
276-ND-33.1-34.2-PS	33.1	34.2	ND-276-1	PS-15 This pump station was moved due to hydraulics and then on to a willing landowner. Associated pipeline reroute to accommodate pump station inlet and outlet	Yes	N/A	
277-ND-217.6-216.6-PS	217.6	216.6	ND-277-1	PS-19 The pump station was moved on to a willing landowner.	Yes	N/A	
279-ND-123.5-123.5-PS	123.5	123.5	ND-279-1	PS-17 Move off of two landowners on onto one landowner willing to sell five acres.	Yes	N/A	
280-ND-170.9-171.0-PS	170.9	171.0	ND-280-1	PS-16 Moved across the street. The landowner preferred pump station across the street.	Yes	N/A	
286-ND-76.2-76.0-PS	76.2	76.0	ND-286-1	PS-18 This pump station was moved due to wetlands residing within pump station footprint and to a location with a willing landowner. Associated pipeline reroute to accommodate pump station inlet and outlet.	Yes	N/A	
291-ND-176.5-177.5-I	176.5	177.5	ND-291-1	Landowner (Lund) has requested keystone move at least 500' away from the grave yard located next to his property.	Yes	N/A	
300-XX-XXX-XXX-I	41.4	41.6	ND-300-1	Accommodate HDD design. The centerline was extended north of the entry point in order to move entry further north of river. This will accommodate additional depth determined from scour analysis.	Yes	N/A	
309-XX-XXX-XXX-S	19.5	19.8	ND-309-1	Valve was relocated from private drive to north-south 127th ave	Yes	N/A	
309-XX-XXX-XXX-S	49.7	49.7	ND-309-2	Relocated Valve V-47 off of condensation track from south side of east-west 61st Street NE to north side	Yes	N/A	
309-XX-XXX-XXX-S	185.2	185.9	ND-309-3	This Route Variation shifts the location of valve V-07 to a location where the Ransom County requirement of 100 ft clearance is in compliance.	Yes	N/A	
309-XX-XXX-XXX-S	205.4	202.4	ND-309-4	Current location of Valve V-61 at dirt 2-track road, therefore all season access is not provided. Relocated site at a high point requiring additional drainage areas to large lake to southwest and provide all season access	Yes	N/A	
315-ND-131.0-131.0-S	131.0	131.0	ND-315-1	Per a settlement with the City of Fargo during the North Dakota PSC hearings, an additional check valve will be placed near the Lake Ashby area	Yes	N/A	
320-ND-163.9-165.0-I	163.9	165.0	ND-320-1	Reroute to move the pipeline ROW and workspaces out of a cultural site (A-MAZA-ND-BA-02)	Yes	N/A	
321-ND-41.3-41.8-I-rev1	41.3	41.4	ND-321-1-rev1	Reroute to move the pipeline ROW and workspaces out of a cultural site. Revision to 321, kept reroute on one landowner (A-MAZA-ND-BA-02)	Yes	N/A	
327-ND-142.0-142.7-S-rev1	142.1	142.4	ND-327-1-rev1	Revision to 327-ND-142.5-142.7-S which moves route to a 425' offset from Whittenberg residence in order to accommodate condition of signed waiver	Yes	N/A	
330-ND-18.1-18.8-S	18.1	18.8	ND-330-1	This variation is to account for an added HDD at the Tongue River crossing.	Yes	N/A	
331-XX-XXX-XXX-I	23.95	23.77	ND-331-1	This route variation contains multiple minor variations which avoid obstructions and also reroutes to revise stream crossings after results from the stream scour and migration analysis	Yes	N/A	
331-XX-XXX-XXX-I	29.25	29.62	ND-331-2	Revised stream crossing to minimize crossing length	Yes	N/A	
331-XX-XXX-XXX-I	31.00	31.12	ND-331-3	Revised North Branch Park River crossing to minimize scour and stream migration issues	Yes	N/A	
331-XX-XXX-XXX-I	31.74	31.97	ND-331-4	Revised stream crossing to minimize crossing length and avoid structure @ MP 31.04	Yes	N/A	
331-XX-XXX-XXX-I	34.26	34.46	ND-331-5	Revised stream crossing to minimize crossing length	Yes	N/A	
331-XX-XXX-XXX-I	35.21	35.45	ND-331-6	Avoid grain bin	Yes	N/A	
331-XX-XXX-XXX-I	49.85	50.12	ND-331-7	Revised stream crossing to minimize crossing length	No	N/A	Landowner Capp was not agreeable to original pipeline route nor to this route variation.
331-XX-XXX-XXX-I	54.89	54.81	ND-331-8	Revised stream crossing to minimize crossing length	Yes	N/A	
331-XX-XXX-XXX-I	62.89	62.67	ND-331-9	Revised Middle Branch Forest River crossing to minimize scour and stream migration issues	Yes	N/A	
331-XX-XXX-XXX-I	65.83	66.84	ND-331-10	Revised stream crossing to minimize crossing length	Yes	N/A	
331-XX-XXX-XXX-I	109.06	109.43	ND-331-11	Eliminate 34'-07'-26" side bend at MP 86.3	Yes	N/A	
331-XX-XXX-XXX-I	153.21	163.53	ND-331-12	Avoid power poles and guy wires	Yes	N/A	
335-ND-180.1-180.1-I	180.1	180.1	ND-335-1	Avoid power transmission line tower	Yes	N/A	
336-ND-204.5-208.9-S	204.5	208.9	ND-336-1	ND Township Chairman has indicated that 5 landowners would sign if alignment shifted east to 144 section 66	Pending	N/A	Three of the five landowners have signed easements. Mr. Mathews, the landowner who demanded the reroute, has not agreed to sign at this time.
341-ND-185.9-185.1-I	185.9	186.1	ND-341-1	Relocated Valve Site V-07 so that access road could be constructed in permanent easement north of 72nd Street	Yes	N/A	

