

RECEIVED

Fahn, Patrick J.

MAY 14 2008

From: Picha, Paul R.
Sent: Wednesday, May 14, 2008 1:53 PM
To: kranda@kelschlaw.com; Fahn, Patrick J.
Cc: Quinnell, Susan L.; Swenson, Fern E.; Paaverud, Merl E.
Subject: RE: Notice of Deadline for Any Comment to PSC by 5:00 PM central Friday May 16, 2008

PUBLIC SERVICE COMMISSION

Follow Up Flag: Follow up
Flag Status: Flagged

NDSHPO Ref.: 06-0088 PSC/DOS Keystone Pipeline

May 14, 2008

Dear Todd and Pat:

We have received and reviewed the correspondence and map attachments provided—thank you. As indicated below, we have recently responded to the Sheyenne River crossing and to the pipeline realignment. At this point the Sheyenne realignment review is on-going.

May 13, 2008

Mr. Dwight Comfort, PE
Water Resource Engineer
Regulatory Section
Office of the State Engineer
900 East Boulevard Avenue
Bismarck, ND 58505-0850

**NDSHPO REF. : 06-0088hh OSE PSC/Department of State/COE
TransCanada Keystone Pipeline: Sheyenne River Crossing: Horizontal Directional Boring (HDB)
Concurrence
[T136N R 58W Section 12, Ransom County]
OSE: S1438 TransCanada Keystone Pipeline LP, Applicant**

Dear Mr. Comfort:

We have received and reviewed: **06-0088hh TransCanada Keystone Pipeline: “Sheyenne River Crossing: Horizontal Directional Boring [T136N R 58W Section 12, Ransom County].”** We concur with “*No Historic Properties Affected*” and “*No Significant Sites Affected*” provided the project is of the nature stated and takes place in the location plotted in the correspondence.

Thank you for the opportunity to review the project. If you have questions please contact either Paul Picha at (701) 328-3574 or Susan Quinnell at (701) 328-3576.

Sincerely,

Paul R. Picha
[signed for]

465 PU-06-421 Filed: 5/14/2008 Pages: 4
Email Comments Concerning Keystone's May 13, 2008 Notification

Merlan E. Paaverud, Jr.
State Historic Preservation Officer (North Dakota)
and
Director, State Historical Society of North Dakota

c: Elizabeth Orlando, Esq., DOS
c: Daniel E. Cimarosti, COE Regulatory, Bismarck
c: Susan E. Wefald, President, Commissioner, PSC

May 14, 2008

Ed Stine Staff Archaeologist Consultants PO Box 2154 Bismarck, ND 58502-2154	ENSR International	Kim Munson, Anthropologist Project Manager 1601 Prospect Parkway Fort Collins, CO 80525	Metcalf Archaeological
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**NDSHPO REF. : 06-0088ii PSC/ Department of State/ENSR
TransCanada Keystone Pipeline: 2008 National Register Evaluation S-O-W for Site MAC-RA-19
[32RM166]**

Dear Mr. Stine and Ms. Munson:

We have received and reviewed **06-0088ii TransCanada Keystone Pipeline:**
“Proposed Scope of Work for the Testing and Evaluation of Site MAC-RA-19 [32RM166] in Ransom County,
North Dakota,” by Metcalf Archaeological Consultants, (May 2008) and find it acceptable.

If consulted by a federal/state agency we would concur with the level and scope of evaluation efforts proposed
at site 32RM166 in the TransCanada Keystone project APE, as reported. Given the site’s geomorphic setting
on a terrace/alluvial fan landform, buried cultural deposits may be anticipated, as indicated in the proposal.

Thank you and we look forward to further consultation and to further review of outstanding documents
regarding the project. If you have questions please contact either Paul Picha at (701) 328-3574 or Susan
Quinnell at (701) 328-3576.

Sincerely,

Paul R. Picha
[signed for]

Merlan E. Paaverud, Jr.
State Historic Preservation Officer (North Dakota)
and
Director, State Historical Society of North Dakota
c: Elizabeth Orlando, Esq., Department of State
c: Susan E. Wefald, Commissioner, PSC
c: Laura Dean, ACHP

With respect to the April 7 and April 29 motions, we note no concerns at this time. Federal review activities are
on-going and are being carried out pursuant to and in accord with the Programmatic Agreement for the project.

Sincerely,

Paul Picha

From: Paaverud, Merl E.
Sent: Tuesday, May 13, 2008 2:28 PM
To: Swenson, Fern E.; Picha, Paul R.
Subject: FW: Notice of Deadline for Any Comment to PSC by 5:00 PM central Friday May 16, 2008

FYI

From: Todd Kranda [mailto:
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

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

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

KELSCH KELSCH RUFF & KRANDA

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Todd D. Kranda
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