

THE 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

**MOTION FOR APPROVAL  
OF EXTRA WORK SPACE IN FORESTED AREAS  
WITH  
REQUEST FOR EXPEDITED REVIEW**

TransCanada Keystone Pipeline LP (Keystone) hereby requests that the North Dakota Public Service Commission (Commission) review and approve extra work space in certain forested areas as specifically requested and identified in the exhibits attached to the supporting Affidavit of Loys A. Gray, III.

As proposed by Keystone and for the reasons expressed in the supporting Affidavit of Loys A. Gray III, additional work space is required beyond the 85 feet currently allowed in these areas along the route.

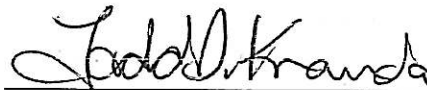
Based on the actual construction experience, field conditions and in consultation with the project manager for the construction contractor, a conclusion that has been made by Keystone that the 85 feet of work space is not adequate to allow the safe and effective construction of the pipeline in the specific areas identified. Accordingly Keystone has determined that additional work space beyond the 85 feet is necessary for these forested areas as are more precisely described within the maps and photos attached to the supporting Affidavit of Loys A. Gray III.

Furthermore, a request is being made that the Commission expedite its review and consideration of this additional work space for certain forested areas and upon doing so approve the request at the earliest possible opportunity. There are ground construction activities continuing with both Spread 1A and Spread 2A in North Dakota and this additional work space

request effects those continuing construction activities along the route. The reasons for this request and for the expedited review and approval is specifically addressed by the attached and supporting Affidavit of Loys A Gray, III.

In conclusion, Keystone respectfully requests that the Commission expedite its review and approve Keystone's Motion for approval of extra work space in the forested areas as described.

Dated this 29<sup>th</sup> day of July, 2008.



TODD D. KRANDA, State Bar ID No. 04512  
THOMAS D. KELSCH, State Bar ID No. 03918  
KELSCH, KELSCH, RUFF & KRANDA  
Attorneys for TransCanada Keystone Pipeline LP  
103 Collins Avenue, P.O. Box 1266  
Mandan, North Dakota 58554-7266  
(701) 663-9818