

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 CONSIDERATION AND APPROVAL
OF TREE REPLACEMENT PLAN**

TransCanada Keystone Pipeline LP (Keystone) hereby requests that the North Dakota Public Service Commission (Commission) promptly consider and approve the Tree Replacement Plan that is being proposed by Keystone.

As part of the February 21, 2008 Findings of Fact, Conclusions of Law and Order, the Commission required, at paragraph 24 of the Order, that Keystone comply with the Tree and Shrub Mitigation Specifications which was attached to the Order. Paragraph 22 of the Commission's Order dated February 21, 2008 provides as follows:

"Keystone shall comply with the Commission's Tree and Shrub Mitigation Specifications attached to this order."

In accordance with paragraph 24 of the Order and pursuant to paragraph 10 of the Tree and Shrub Mitigation Specifications, Keystone is required to submit documentation and a plan for the replacement of trees and shrubs for approval by the Commission. Paragraph 10 of the Tree and Shrub Mitigation Specifications provides as follows:

"Prior to tree/shrub replacement, documentation identifying the number and variety of trees removed as well as the mitigation plan for the proposed number, variety, type, location and date of replacement plantings shall be filed with the NDPSC for approval."

Accordingly, pursuant to paragraph 10 of the Tree and Shrub Mitigation Specifications, Keystone is directed to file with the Commission for approval, prior to any tree or shrub replacement, documentation that identifies the number and variety of trees that were removed along the pipeline route as well as the mitigation plan for the replacement tree planting. Filed

herewith and incorporated herein are the following

- Appendix 1 - Keystone Pipeline Project Tree Replacement Summary August 2010; and
- Appendix 2 - Inventory of Trees and Shrubs Along the Keystone Pipeline Mainline
Right-of-Way and Ancillary Facilities in North Dakota.

Based on the filing of the attachments, Keystone respectfully requests that the Commission promptly consider and approve the Tree Replacement Plan as indicated which is being implemented through a partnership with the North Dakota Forest Service and coordinated with the local Soil Conservation Districts for replanting trees and shrubs on landowner property where requested and at alternative sites throughout North Dakota.

In conclusion, Keystone respectfully requests that the Commission expedite its review and approve Keystone's Tree Replacement Plan.

Dated this 23rd day of August, 2010.



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