

**Hamre, John G.**

---

**From:** Fahn, Patrick J.  
**Sent:** Tuesday, March 12, 2013 3:12 PM  
**To:** Hamre, John G.  
**Subject:** FW: PSC Materials  
**Attachments:** 4513\_001.pdf; Patrick Fahn.vcf

Please docket in 06-421

**Patrick Fahn**

Director  
Compliance and Competitive Markets

North Dakota Public Service Commission  
600 E Boulevard Ave, Dept. 408  
Bismarck ND 58505-0480  
(701) 328-4077 Work  
(701) 328-2410 Fax  
pfahn@nd.gov

**From:** Lori S. Hersrud [<mailto:LHersrud@OhnstadLaw.com>]  
**Sent:** Friday, March 08, 2013 11:56 AM  
**To:** Fedorchak, Julie L.; Fahn, Patrick J.; Kalk, Brian P.  
**Cc:** bruce  
**Subject:** PSC Materials

Good Morning,

Lukas Andrud asked me to forward the attached materials to your attention. Thank you, Lori

Lori Hersrud  
Assistant for Lukas Andrud  
Ohnstad Twichell, P.C.  
P.O. Box 458  
West Fargo, ND 58078  
701-282-3249  
March 8, 2013

**From:** [canon@ohnstadlaw.com](mailto:canon@ohnstadlaw.com) [<mailto:canon@ohnstadlaw.com>]  
**Sent:** Friday, March 08, 2013 10:48 AM  
**To:** Lori S. Hersrud  
**Subject:** Attached Image

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## North Dakota State Public Service Commission

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			421
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<u>Docket #</u>	<u>Description</u>	<u>On Behalf Of</u>	<u>Filed By</u>	<u>Filed</u>	<u>Pages</u>
701	<a href="#">Keystone Pipeline Progress Report for the Week Oct. 12 to Oct. 18, 2009</a>	TransCanada Keystone Pipeline, LP		10/12/2009	1
702	<a href="#">Keystone Pipeline Progress Report for the Week Oct. 19 to Oct. 25, 2009</a>	TransCanada Keystone Pipeline, LP		10/19/2009	1
703	<a href="#">Class III Cultural Resource Review and Determination - Revised Pump Station 18</a>	State Historical Society of North Dakota	Merlan Paaverud, SHPO	10/22/2009	1
704	<a href="#">Invoice #104804 \$1,691.82 Svcs Ending 9-26-09</a>	Kadrmars Lee & Jackson		10/19/2009	3
705	<a href="#">Keystone Pipeline Progress Report for the Week Nov. 2 to Nov. 8, 2009</a>	TransCanada Keystone Pipeline, LP		11/3/2009	1
706	<a href="#">Memorandum on Review of Keystone's O&amp;M/Emergency Manual/IMP Plan</a>	Public Service Commission	Alan Moch, Director, Testing & Safety	11/4/2009	3
707	<a href="#">Keystone Pipeline Progress Report for the Week Nov. 9 to Nov. 15, 2009</a>	TransCanada Keystone Pipeline, LP		11/10/2009	1
708	<a href="#">Keystone Pipeline Progress Report for the Week Nov. 16 to Nov. 22, 2009</a>	TransCanada Keystone Pipeline, LP		11/17/2009	1

709	<u>Keystone Independent North Spread Report for Oct. 1, 2009</u>	Kadmas Lee & Jackson		11/19/2009	4
710	<u>Invoice #105532 \$1127.89 Sves. Ending 10-24-09</u>	Kadmas Lee & Jackson		11/17/2009	2
711	<u>Application for Trade Secret Protection for Hazardous Liquid Integrity Mgmt Prog. For High Conseq. Areas</u>	TransCanada Keystone Pipeline, LP	Todd Kranda, Atty, Kelsch Kelsch Ruff & Kranda	11/20/2009	3
712	<u>Trade Secret Material</u>	TransCanada Keystone Pipeline, LP	Todd Kranda, Atty, Kelsch Kelsch Ruff & Kranda	11/20/2009	1
713	<u>Supplemental Application for Trade Secret Protection</u>	TransCanada Keystone Pipeline, LP	Todd Kranda, Kelsch Kelsch Ruff & Kranda	12/18/2009	3
714	<u>Trade Secret Material</u>	TransCanada Keystone Pipeline, LP	Todd Kranda, Kelsch Kelsch Ruff & Kranda	12/18/2009	1
715	<u>Memo re: Staff Review of Keystone's IMP Plan &amp; Associated Leak Detection Manual</u>	Public Service Commission		12/29/2009	2
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717	<u>Letter Enclosing Commission Motion Approving O&amp;M - Emergency Manual</u>	Public Service Commission		1/11/2010	2
718	<u>Letter re. Concur with Subsurface Investigations</u>	State Historical Society of North Dakota	Merlan Paaverud, SHPO	3/31/2010	1
719	<u>Letter Report &amp; Concurrence</u>	State Historical Society of North Dakota	Merlan Paaverud, SHPO	5/5/2010	1
720	<u>Commission Motion extending Contract for Consulting Services</u>	Public Service Commission		5/18/2010	1
721	<u>Partially executed Contract for Consulting Services</u>	Public Service Commission		5/18/2010	7
722	<u>Letter enclosing Partially Executed Contract</u>	Public Service Commission		5/18/2010	8
723	<u>Executed Contract - Consultant Services</u>	Public Service Commission		6/10/2010	7
724	<u>Tree Replacement Plan</u>	TransCanada Keystone Pipeline, LP	Todd Kranda, Kelsch Kelsch Ruff & Kranda	8/23/2010	505
725	<u>Commission Motion approving plan filed for</u>	Public Service Commission		9/22/2010	1

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726	<u>Certificate of liability insurance</u>	Kadrmass Lee & Jackson		9/27/2010	2
727	<u>Letter enclosing Motion approving plan filed for replacement of trees and shrubs</u>	Public Service Commission		9/27/2010	2
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730	<u>Commission Motion opening formal investigation into pipe failure</u>	Public Service Commission		5/13/2011	1
731	<u>Work Session Audio</u>	Public Service Commission		5/13/2011	1
732	<u>Letter enclosing Motion opening formal investigation into pipe failure</u>	Public Service Commission		5/17/2011	2
733	<u>Summary of Keystone release incident</u>	TransCanada Keystone Pipeline, LP	Ken Crowl	5/17/2011	5
734	<u>Ludden Pump Station failure - documents provided by PHMSA</u>	TransCanada Keystone Pipeline, LP	Ken Crowl	6/2/2011	34
735	<u>PHMSA corrective action order - Ludden Pump Station failure</u>	Public Service Commission	Dave Barrett	6/3/2011	9
736	<u>Ludden Pump Station failure environmental reports provided to ND Dept. of Health</u>	TransCanada Keystone Pipeline, LP	Ken Crowl	6/6/2011	22
737	<u>Email copy of letter to PHMSA</u>	Paul Mathews		7/8/2011	5
738	<u>Copy letter comments to TransCanada</u>	Bob Banderet		7/11/2011	3
739	<u>Keystone system restart plan and executive summary of submittals to PHMSA</u>	TransCanada Keystone Pipeline, LP	Ken Crowl	8/26/2011	19
740	<u>Summary of monthly report and work plan submittals to PHMSA</u>	TransCanada Keystone Pipeline, LP	Ken Crowl	9/9/2011	13
741	<u>Summary of October and November monthly PHMSA reports</u>	TransCanada Keystone Pipeline, LP	Ken Crowl	12/21/2011	15
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	<u>Informal Complaint re Keystone Pipeline noise issues</u>	Lukas D. Andrud, Ohnstad Twichell, P.Co.			
743	<u>Response to informal complaint re Keystone Pipeline noise issues</u>	Public Service Commission	Mark Gruman, Legal Counsel	12/28/2011	3
744	<u>Inspection reports</u>	Kadrmas Lee & Jackson	Mark Anderson	12/15/2011	146
745	<u>Follow up to Lukas Andrud re Informal Complaint</u>	Public Service Commission	Mark Gruman	1/18/2012	25
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747	<u>Summary of December 2011 and January 2012 monthly reports submitted to PHMSA</u>	TransCanada Keystone Pipeline, LP		2/8/2012	13
748	<u>Summary of Feb. 2012 monthly reports submitted to PHMSA</u>	TransCanada Keystone Pipeline, LP		3/6/2012	10
749	<u>Amended Corrective Action Order</u>	U.S. Department of Transportation	Jeffrey Wiese	6/28/2011	8
750	<u>Email enclosing State Forester letter and ND mitigation tree planting program summary report</u>	TransCanada Keystone Pipeline, LP	Todd Kranda, KelschKelschRuff&Kranda	2/3/2012	7
751	<u>Summary of March, April, May, June 2012 monthly reports submitted to PHMSA</u>	TransCanada Keystone Pipeline, LP		7/3/2012	24
752	<u>Update of Emergency Response Plan (ERP)</u>	TransCanada Keystone Pipeline, LP	Ken Crowl	7/20/2012	4
753	<u>Trade secret material</u>	TransCanada Keystone Pipeline, LP		7/20/2012	1
754	<u>Summary of July 2012 monthly report submitted to PHMSA</u>	TransCanada Keystone Pipeline, LP		8/15/2012	3
755	<u>Supplemental Application for Trade Secret Protection</u>	TransCanada Keystone Pipeline, LP		7/20/2012	4
756	<u>Staff response to applications for trade secret protection</u>	Public Service Commission Staff	Mark Gruman	9/10/2012	2
757	<u>Commission Motion adopting Order Granting Trade Secret Protection</u>	Public Service Commission		9/12/2012	1
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760	<u>Summary of August 2012 monthly report submitted to PHMSA</u>	TransCanada Keystone Pipeline, LP	Ken Crowl, Manager, US Reg. Compliance	9/21/2012	7
761	<u>Summary of September 2012 monthly report submitted to PHMSA</u>	TransCanada Keystone Pipeline, LP	Ken Crowl, Manager, US Reg. Compliance	10/19/2012	7
762	<u>Fort Ransom Pump Station noise issue update</u>	TransCanada Keystone Pipeline, LP	Robert Latimer	8/13/2012	4
763	<u>Ft Ransom ambient noise study, letter from Robert Latimer, Ft Ransom noise receptor map</u>	TransCanada Keystone Pipeline, LP	Todd Kranda, KelschKelschRuff&Kranda	11/7/2012	26
764	<u>Email correspondence regarding Keystone pump station</u>	Bruce Pantzke		10/25/2012	2
765	<u>Email correspondence regarding Keystone pump station</u>	Tim and Lynn Hanson		10/25/2012	1
766	<u>Additional information regarding Ft Ransom noise study and mitigation activity</u>	TransCanada Keystone Pipeline, LP	Todd Kranda, KelschKelschRuff&Kranda	11/28/2012	42
767	<u>Request for comments regarding PHMSA's evaluation</u>	Department of Transportation	Zach Barrett, Director State Programs	12/6/2012	5
768	<u>Tree mitigation 2012 project status update</u>	TransCanada Keystone Pipeline, LP	Todd Kranda, KelschKelschRuff&Kranda	1/8/2013	9
769	<u>No Archived File - Roll No. 611</u>	Public Service Commission		1/28/2013	1
770	<u>Summary of Oct., Nov., Dec., 2012 monthly report submitted to PHMSA</u>	TransCanada Keystone Pipeline, LP	Ken Crowl, Manager, US Reg. Compliance	1/28/2013	9
771	<u>Electronic record of work session</u>	Public Service Commission		1/23/2013	1
772	<u>Email - summary of January, 2013 monthly report submitted to PHMSA</u>	TransCanada Keystone Pipeline, LP	Jennifer Beasley, Associate, US Reg. Com	2/19/2013	5

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**RECEIVED**

*Including the former Burgum Law Firm*

Manfred R. Ohnstad 1914 - 1987  
Bradley J. Burgum 1952 - 2010

DEC 13 2011

December 12, 2011

Lukas D. Andrud\*  
Duane R. Breiling, \* Retired  
Susan L. Ellison\*  
Sean M. Fredricks\*  
Robert G. Hoy\*  
Amanda N. Juelson  
John A. Juelson  
Ross V. Keller\*  
Delvin J. Losing\*  
Marshall W. McCullough  
Christopher M. McShane\*  
Michael D. Nelson\*  
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Daniel R. Twichell, Retired  
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Peggy J. Buchholz, PLS  
Office Administrator

\*Also licensed in Minnesota

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Bismarck, ND 58505

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Kevin Cramer  
Public Service Commissioner  
600 East Blvd  
Bismarck, ND 58505

Patrick Fahn  
Utility Analyst  
Public Service Commission  
600 East Blvd  
Bismarck, ND 58505

Re: **Keystone Pipeline - Noise Issues**

Dear Commissioners:

This office represents Bruce Pantzke both as the owner of land in Sections 14, 22, and 24, Township 136 North, Range 58 West, Ransom County, North Dakota, and as a user of the numerous recreational and scenic attractions in the area regarding the excessive noise caused by TransCanada's Keystone Pipeline Pumping Facility located in Section 23 of said Township and Range (the "Pumping Station"). This letter is intended to be considered an informal complaint pursuant to North Dakota Administrative Rule 69-02-02-01.

Mr. Pantzke has spent fourteen years improving his property and has a home on his Section 24 property. Additionally, he has plans to build his retirement home on the same property. However, the Pumping Station was constructed without any notice being delivered to Mr. Pantzke. The disappointment my client felt by being excluded from the notice and hearing process is nothing compared to the level of frustration and anger he is experiencing by being continually exposed to the unnecessary levels of noise from the pumping station whenever he sets foot on his property. He has diligently attempted to work with TransCanada to come up with a workable solution, however, this has proven impossible since TransCanada has refused to even acknowledge that there is a problem.

Mr. Pantzke's property as well as the Pumping Station are located in the geographically unique Sheyenne River Valley, in extremely close proximity to Fort Ransom State Park, Little Yellowstone Park, the Sheyenne River Valley National Scenic Byway and the North Country Trail. While my client's land is certainly valuable for agricultural production, its unique and scenic location close to so many area attractions gives it

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Informal Complaint re Keystone Pipeline noise issues

Page 2

significantly increased value among recreationalists. If the present level of noise intrusion is permitted to continue unmitigated, his property values will diminish dramatically. Mr. Pantzke received no notice this intrusion was going to occur; he did not grant an easement, license or otherwise permit his property to be so encumbered by this intrusion; he has not received any compensation for this intrusion, but still he is asked to bear the costs of diminished property values while TransCanada, a large multinational corporation receives all the benefits.

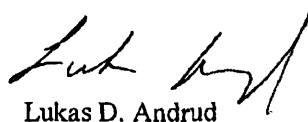
Impacts on recreation in the area caused by noise from the Pumping Station have already been felt. Mr. Pantzke has been approached about granting an easement across his property for use as a portion of the North Country National Scenic Trail, which is a hiking trail administered by the National Park Service and will eventually cover 4600 miles. The Sheyenne River Valley Chapter of the North Country Trail Association has expressed concern with the diminished quality of the experience the North Country Trail would offer in the area bypassing close to the constant drone from the Pumping Station. Additionally, several visitors to Fort Ransom State Park have complained about noise from the Pumping Station being a constant during their entire visit to the State Park. This is not surprising since the Pumping Station is less than one and a half miles from the Park. Furthermore, it is commonly heard at Little Yellowstone Park, two and a half miles North of the Pumping Station.

I have reviewed the Public Service Commissioner's Findings of Fact, Conclusions of Law and Order and find it disconcerting that it does not appear the impact on these recreational areas was even considered by the PSC. It is amazing the Pumping Station was allowed to be located at the epicenter of so many unique recreational areas and it is even more amazing no noise mitigation of any kind was required by the PSC.

Prior to construction of the Pumping Station, TransCanada representatives spoke at a township meeting. When asked if noise would be an issue, TransCanada provided assurances that noise would not be an issue. The Findings of Fact, Conclusions of Law and Order indicate TransCanada will insure compliance with commitments made to landowners. The promises made at the township meeting are just such a commitment. My client respectfully requests the Commissioners order TransCanada to honor its commitment and implement the necessary sound mitigation measures as soon as practically possible. Please do not hesitate to contact me if you have any questions or need anything further.

Sincerely,

OHNSTAD TWICHELL, P.C.



Lukas D. Andrud

LDA:brj



**Lukas D. Andrud**

---

**From:** Fahn, Patrick J. <pfahn@nd.gov>  
**Sent:** Friday, October 26, 2012 1:25 PM  
**To:** Lukas D. Andrud  
**Subject:** RE:  
**Attachments:** Patrick Fahn.vcf

Mr. Andrud,

The August 13, 2012 letter from TransCanada to the Commission, with the communication that was developed to update affected landowners and neighbors concerning noise levels at the Fort Ransom Pump Station, was docketed today and should be available on the Commission website sometime Monday, October 29. If it is not, let me know.

**Patrick Fahn**

Director  
Compliance and Competitive Markets

North Dakota Public Service Commission  
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Bismarck ND 58505-0480  
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pfahn@nd.gov

**From:** Lukas D. Andrud [mailto:LAndrud@OhnstadLaw.com]  
**Sent:** Wednesday, October 24, 2012 5:14 PM  
**To:** Fahn, Patrick J.  
**Subject:**

Lukas D. Andrud  
Attorney at Law  
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TEL (701) 282-3249  
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**Lukas D. Andrud**

---

**From:** Gruman, Mark E. <mgruman@nd.gov>  
**Sent:** Friday, January 20, 2012 1:53 PM  
**To:** Lukas D. Andrud  
**Subject:** TransCanada Keystone PU-06-421  
**Attachments:** 745-020.pdf

Mr. Andrud. As we had just discussed on the phone, the following is a link to our PSC docket. [http://www.psc.nd.gov/database/company\\_case\\_list.php](http://www.psc.nd.gov/database/company_case_list.php).

For simplicity, I have attached the document I was referring to in this email.

Please let me know if you have any questions.

Mark Gruman  
Legal Counsel  
North Dakota Public Service Commission  
701-328-2421

*docket in  
06-421*

*let Pat know  
when docketed*



13710 FNB Parkway, Suite 300  
Omaha, NE, 68154-5200

August 13, 2012

North Dakota Public Service Commission (ND PSC)  
(Sent via email pdf letter)

Re: TransCanada Keystone Pipeline Fort Ransom Pump Station  
11948 - 58<sup>th</sup> St., Ransom Co. N.D.  
Noise Issue Update, August, 2012

Dear Sirs:

The attached formal communication (2 page document) has been developed to update affected landowners and neighbors of TransCanada Keystone Pipeline, LP (TransCanada) ongoing efforts to address concerns raised with respect to intermittent noise level increases from the Fort Ransom Pump Station (the Station) located in Ransom County.

Residents and Agencies receiving the attached formal communication include:

B. Pantzke (neighboring landowner)  
W. Klebke (neighboring landowner)  
L. Hanson (past Township Supervisor)  
K. Bishop (current Township Supervisor / Co. Commissioner)  
M. Hammer (neighboring landowner / tenant)  
D. Anderson (neighboring landowner)  
K. Ketterling (neighboring landowner)  
T. & L. Hanson (neighboring landowners)  
B. Keopplin (Chairperson, Sheyenne River Valley)  
J. Kwapinski (Park Ranger, Fort Ransom State Park)

Additionally a personal meeting was conducted with Mr. Bruce Pantzke at his property on August 3<sup>rd</sup>, 2012 to review this same correspondence and provided a personal overview of the mitigation work now underway.

762 PU-06-421 Filed: 8/13/2012 Pages: 4  
Fort Ransom Pump Station noise issue update

Robert Lalmer

Page 1

TransCanada Keystone Pipeline, LP  
Robert Lalmer

Should you have any questions regarding this matter or the details as to activity now underway at our facility, please contact myself, at 402-492-7454.

Sincerely,



Robert S. Latimer  
Community Outreach Specialist  
TransCanada  
Ph. 402-492-7454 (office)  
Ph. 402-332-8122 (cell)  
Email: [rob\\_latimer@transcanada.com](mailto:rob_latimer@transcanada.com)  
Web: [www.transcanada.com](http://www.transcanada.com)

R. McGillivray – Area Manager, Glacial Lakes, TransCanada Great Plains Region

Attachments

2 RSL Generic update letter to Fort Ransom Neighbors – Noise Issues & Actions 081312



**Public Service Commission**  
State of North Dakota

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Fax: 701-328-2410  
TDD: 800-366-6888 or 711

December 28, 2011

Lukas D. Andrud  
Ohnstad Twichell  
P.O. Box 458  
West Fargo, ND 58078-0458

Re: TransCanada Keystone Pipeline, LP – PU-06-421 – Response to Mr. Pantzke's Informal Complaint

Mr. Andrud,

Thank you for your December 12, 2011 letter / informal complaint. It is unfortunate that Mr. Pantzke feels that he was not provided proper notice. However, a review of our docket indicates that notice was given pursuant to N.D.C.C. Chapter 49-22 and N.D. Admin. 69-06-01-02, including multiple hearing notice publications in the Fargo Forum, the Valley City Times Record and the Ransom County Gazette. Additionally, it is my understanding that due to the nature and scope of this project at the time of the hearings, this matter received notable attention from the media.

Concerning Mr. Pantzke's noise concerns, I reviewed the record in an attempt to determine whether such an issue had been brought to the Commissioners' attention. Paragraph 110 of the Commission's February 21, 2008 Order discusses the noise impact of pump stations to nearby locations. As indicated TransCanada Keystone (TransCanada) is obligated to manage the sound levels of the five pump stations in North Dakota to 55 dBA at the nearest sound sensitive area.

In reference to your informal complaint, PSC Staff will be in contact with TransCanada shortly to obtain further information.

It should be noted that, if your client wishes to file a formal complaint, please refer to N.D. Admin 69-02-02-02 in doing so.

Thank You,

Mark Gruman  
Legal Counsel

c: w/enclosure Todd Kranda

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Response to informal complaint re Keystone  
Pipeline noise issues

Public Service Commission  
Mark Gruman, Legal Counsel



Ohnstad Mitchell  
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*Including the former Burgum Law Firm*

Manfred R. Ohnstad 1914 - 1987  
Bradley J. Burgum 1952 - 2010

December 12, 2011

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Sean M. Fredricks\*  
Robert G. Hoy\*  
Amanda N. Juelson  
John A. Juelson  
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Delvin J. Losing\*  
Marshall W. McCullough  
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Patrick Fahn  
Utility Analyst  
Public Service Commission  
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Re: Keystone Pipeline - Noise Issues

Dear Commissioners:

This office represents Bruce Pantzke both as the owner of land in Sections 14, 22, and 24, Township 136 North, Range 58 West, Ransom County, North Dakota, and as a user of the numerous recreational and scenic attractions in the area regarding the excessive noise caused by TransCanada's Keystone Pipeline Pumping Facility located in Section 23 of said Township and Range (the "Pumping Station"). This letter is intended to be considered an informal complaint pursuant to North Dakota Administrative Rule 69-02-02-01.

Mr. Pantzke has spent fourteen years improving his property and has a home on his Section 24 property. Additionally, he has plans to build his retirement home on the same property. However, the Pumping Station was constructed without any notice being delivered to Mr. Pantzke. The disappointment my client felt by being excluded from the notice and hearing process is nothing compared to the level of frustration and anger he is experiencing by being continually exposed to the unnecessary levels of noise from the pumping station whenever he sets foot on his property. He has diligently attempted to work with TransCanada to come up with a workable solution, however, this has proven impossible since TransCanada has refused to even acknowledge that there is a problem.

Mr. Pantzke's property as well as the Pumping Station are located in the geographically unique Sheyenne River Valley, in extremely close proximity to Fort Ransom State Park, Little Yellowstone Park, the Sheyenne River Valley National Scenic Byway and the North Country Trail. While my client's land is certainly valuable for agricultural production, its unique and scenic location close to so many area attractions gives it

significantly increased value among recreationalists. If the present level of noise intrusion is permitted to continue unmitigated, his property values will diminish dramatically. Mr. Pantzke received no notice this intrusion was going to occur; he did not grant an easement, license or otherwise permit his property to be so encumbered by this intrusion; he has not received any compensation for this intrusion, but still he is asked to bear the costs of diminished property values while TransCanada, a large multinational corporation receives all the benefits.

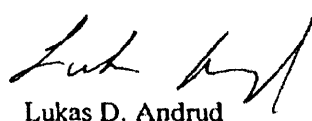
Impacts on recreation in the area caused by noise from the Pumping Station have already been felt. Mr. Pantzke has been approached about granting an easement across his property for use as a portion of the North Country National Scenic Trail, which is a hiking trail administered by the National Park Service and will eventually cover 4600 miles. The Sheyenne River Valley Chapter of the North Country Trail Association has expressed concern with the diminished quality of the experience the North Country Trail would offer in the area bypassing close to the constant drone from the Pumping Station. Additionally, several visitors to Fort Ransom State Park have complained about noise from the Pumping Station being a constant during their entire visit to the State Park. This is not surprising since the Pumping Station is less than one and a half miles from the Park. Furthermore, it is commonly heard at Little Yellowstone Park, two and a half miles North of the Pumping Station.

I have reviewed the Public Service Commissioner's Findings of Fact, Conclusions of Law and Order and find it disconcerting that it does not appear the impact on these recreational areas was even considered by the PSC. It is amazing the Pumping Station was allowed to be located at the epicenter of so many unique recreational areas and it is even more amazing no noise mitigation of any kind was required by the PSC.

Prior to construction of the Pumping Station, TransCanada representatives spoke at a township meeting. When asked if noise would be an issue, TransCanada provided assurances that noise would not be an issue. The Findings of Fact, Conclusions of Law and Order indicate TransCanada will insure compliance with commitments made to landowners. The promises made at the township meeting are just such a commitment. My client respectfully requests the Commissioners order TransCanada to honor its commitment and implement the necessary sound mitigation measures as soon as practically possible. Please do not hesitate to contact me if you have any questions or need anything further.

Sincerely,

OHNSTAD TWICHELL, P.C.



Lukas D. Andrud

LDA:brj





**Public Service Commission**  
State of North Dakota

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COMMISSIONERS

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January 18, 2012

Lukas D. Andrud  
Ohnstad Twichell  
P.O. Box 458  
West Fargo, ND 58078-0458

Re: TransCanada Keystone Pipeline, LP – PU-06-421 – Response to Mr. Pantzke's  
Informal Complaint

Mr. Andrud,

This letter has been written as a follow up to my December 28, 2011 response to Mr. Pantzke's Informal Complaint. As indicated in the enclosed materials, TransCanada Keystone Pipeline, LP (TransCanada) has performed an Ambient Noise Study at the Fort Ransom Pump Station. Although, according to the data, the noise levels are below the Federal Energy Regulation Commission limit, it is our understanding that TransCanada is exploring additional efforts towards further reducing these levels.

Please keep us informed if you have additional concerns. As always I am available if you wish to discuss this matter further.

Sincerely,

Mark Gruman  
Legal Counsel  
North Dakota Public Service Commission

Enc. Map  
Fort Ransom Pump Station Operational Noise Study

745 PU-06-421 Filed: 1/18/2012 Pages: 25  
Follow up to Lukas Andrud re Informal Complaint

Public Service Commission  
Mark Gruman

**Gruman, Mark E.**

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**From:** Todd Kranda <kranda@kelschlaw.com>  
**Sent:** Saturday, January 21, 2012 9:07 AM  
**To:** Gruman, Mark E.  
**Cc:** Nitschke, Darrell D.; Fahn, Patrick J.  
**Subject:** RE: TransCanada Keystone - Fort Ransom Pump Station  
**Attachments:** Update Letter PDF Copy to NDPSC 20120120.pdf

Mark – Please find attached an update letter from Robert Latimer of TransCanada with regard to the ongoing efforts to address noise level concerns for the affected landowners with the Fort Ransom Pump Station in Ransom County. While the recent noise report demonstrated that the noise levels are below the limits TransCanada Keystone is trying to minimize noise for the surrounding area. The original update letter was sent to the PSC by USPS on Friday January 20, 2012. Please provide a copy to each PSC Commissioner and any PSC staff as you deem appropriate. Todd

**From:** Todd Kranda [mailto:kranda@kelschlaw.com]  
**Sent:** Tuesday, January 10, 2012 10:15 AM  
**To:** 'Gruman, Mark E.'  
**Cc:** 'Nitschke, Darrell D.'; 'Fahn, Patrick J.'  
**Subject:** FW: TransCanada Keystone - Fort Ransom Pump Station

Mark –

I am forwarding to you this email message with the new attachment of the operational noise report (Ft Ransom Ambient Noise Study Final) along with a copy of the prior email shown below and attachment of the receptor map (Ft Ransom Noise Receptor Map) that was sent to the PSC (Pat Fahn and Darrell Nitschke) on November 28<sup>th</sup> regarding the noise concern by Bruce Pantzke with the Fort Ransom pump station. This email is also in response to the December 28, 2011 letter that was copied to my office regarding the informal noise complaint by Mr. Pantzke.

All of TransCanada Keystone's noise monitoring work was completed in late November, 2011 and reviewed in mid December 2011. The monitoring work delivered good data to demonstrate that the TransCanada Keystone Pipeline is meeting the required federal noise guidelines at all three locations that were observed with the Fort Ransom Pump Station site.

Nevertheless TransCanada Keystone is committed to being a "good neighbor" and they are exploring whether there is a feasible resolution to try to further quiet the pump station site down more than currently exists even though the levels are within the standards established. TransCanada Keystone is now in discussions internally as to recommendations made by the noise consultant and from that, they will look at any other actions or possible solutions to further reduce the noise generated from the pump station. TransCanada Keystone is targeting to have some formal communication out by the end of next week to all involved externally as to any next steps to try further address or resolve the concern expressed.

If you have any questions regarding this issue or any other matter with the TransCanada Keystone Pipeline please feel free to contact me.

746 PU-06-421 Filed: 1/21/2012 Pages: 3  
Email update re noise issues

Todd

Attachments as stated

c: Darrell Nitschke and Pat Fahn

**From:** Todd Kranda [mailto:kranda@kelschlaw.com]  
**Sent:** Monday, November 28, 2011 4:34 PM  
**To:** 'Fahn, Patrick J.'; 'dnitschk@nd.gov'  
**Subject:** TransCanada Keystone - Fort Ransom Pump Station

Darrell and Pat –

The following is for general informational purposes only. No response is requested.

I was recently briefed by TransCanada Keystone regarding a landowner along the pipeline route and his concern about intermittent noise with a pump station. The noise issue is being investigated and will be dealt with depending upon the results of the study being completed but in the meantime I thought that I would share the information with you so that you can forward it to the individual commissioners as you deem appropriate.

The noise issue that Keystone has been working through concerns the Fort Ransom Pump Station in Ransom County ND. A local neighbor named Bruce Pantzke resides and works in Fargo and has a recreational hunting and retirement property on the rim of the Sheyenne River Valley located approximately 1 mile southeast of the Pump Station. Mr Pantzke has had a dialogue with Keystone since approximately the fall of 2010. Various commitments have been made by Keystone to review and try to better understand his issue with an aim to provide a fix if necessary.

To date, Keystone has completed a short period of noise monitoring (July 31/Aug. 1) at Mr. Pantzke's property. However, the test period was not in the best conditions nor was the duration of 4 hours long enough to understand the situation nor discover any solid evidence of the existing noise conditions. Apparently the noise issue is not one of a constant nature, but varies with likely environmental/line operation conditions.

Keystone is working to conduct a much longer period (up to 72 hours) of noise monitoring by a consulting engineering firm who will set up monitoring at 3 distinct sites closest to the Fort Ransom Pump Station location. By all indications Keystone expects the noise level to be compliant with the limitations. In fact during a site meeting on Nov. 14<sup>th</sup> with 3 units running, no one in attendance could hear the pump units operating (3 running at the time). Keystone is committed to do what it takes to investigate, hear the landowner feedback and then, if required, mitigate any excessive noise upon management review of the issues known.

The detailed noise monitoring at three different locations around the Fort Ransom Pump Station is scheduled for next week, Nov. 29<sup>th</sup> to Dec. 2<sup>nd</sup>. Keystone should have good and reliable information by the end of December to fully understand the noise issue and what, if anything, can be done or needs to be done pursuant to the requirement to manage the noise levels allowed at the pump stations along the route. Attached is a map of the Fort Ransom Pump Station location and the proposed three test sites for the monitoring.

Todd

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KELSCH KELSCH RUFF & KRANDA

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Todd D. Kranda  
Kelsch Kelsch Ruff & Kranda  
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[kranda@kelschlaw.com](mailto:kranda@kelschlaw.com)



13710 FNB Parkway, Suite 300  
Omaha, NE, 68154-5200

November 7, 2012

North Dakota Public Service Commission (ND PSC)  
(Sent via email PDF letter)

Re: TransCanada Keystone Pipeline Fort Ransom Pump Station  
11948 – 58<sup>th</sup> St., Ransom Co. N.D.  
Noise Issue Update, November 2012

Dear Sirs:

This communication is intended to summarize past activities and future actions planned with respect to intermittent noise levels from the Fort Ransom Pump Station (the Station) located in Ransom County and a single area resident complaint and a resident inquiry related to our operations of the Station.

As TransCanada has communicated previously over the past year, we have taken the following steps to this date related to noise levels at this Station:

- Post-construction noise monitoring was completed at all Keystone Pump Station sites in North Dakota in July and August 2011. The results of the monitoring showed that the operation of all Pump Station sites in ND is in compliance with the noise criteria utilized by the Federal Energy Regulatory Commission (FERC) and which was voluntarily committed to by TransCanada during its permitting process.
- Supplementary noise monitoring was completed at three nearby residential locations (including a location selected with input from Mr. B. Pantzke on his property) near the Station over a period of 72 consecutive hours beginning November 29, 2011. The Station was operated under full load, meaning three of four pumps were operational, within the testing period. A day-night average noise level was determined based on the measurement data.
- The results of the monitoring in late November 2011 confirmed that the operation of the Station is in compliance with the permitted criteria.

- TransCanada completed near-field noise measurements of on-site equipment at the Station in March 2012. The near-field noise study was completed to support the review and evaluation of noise mitigation (reduction) alternatives. The measurement results were used to update a noise propagation model developed for the site and focus mitigation planning on the dominant sources of intermittent noise level increases. The results were also necessary for detailed engineering design of noise mitigation solutions.
- Based on the near-field noise assessment and mitigation design efforts, TransCanada installed additional materials to assist in sound dampening at the site in late August 2012. Specifically, this included the installation of additional acoustical lagging on select segments of above-ground large diameter piping near the pressure control valve and wrapping that valve with a blanket of acoustical insulation.
- As we continue to receive occasional feedback from 2 of the surrounding Landowners (Mr. B. Pantzke and Mr. M. Hammer) and at the request of Mr. B. Pantzke, TransCanada is now developing a plan to plant trees outside the fenced perimeter (on 3 sides) of our Station. The intention is to complete this work in the spring of 2013. This plan has been shared with Mr. Pantzke via email correspondence in late September.

TransCanada has maintained an open line of communication with all residents and other parties in the area (via formal letter updates) and specifically with Mr. B. Pantzke and Mr. M. Hammer. Numerous phone calls, emails and a personal visit (August 3<sup>rd</sup>) with Mr. Pantzke have occurred to share mitigation details as well as to collect and respond to operational feedback and concerns related to such. Verbal communication (phone calls) has occurred with Mr. Hammer as well during the August and September time period.

TransCanada remains committed to collecting feedback and seeking a reasonable resolution to this matter with all parties involved. Should you have any questions regarding this matter or the details as to future actions please contact me at 402-492-7454.

Sincerely,

*Rob Latimer*

Robert S. Latimer  
 Community Outreach Specialist  
 TransCanada  
 Ph. 402-492-7454 (office)  
 Ph. 402-332-8122 (cell)  
 Email: [rob\\_latimer@transcanada.com](mailto:rob_latimer@transcanada.com)  
 Web: [www.transcanada.com](http://www.transcanada.com)

R. McGillivray – Area Manager, Glacial Lakes, TransCanada Great Plains Region

attachment - (Fort Ransom Noise Monitoring Receptor Map)



13710 FNB Parkway, Suite 300  
Omaha, NE, 68154-5200

August 13, 2012

Re: TransCanada Keystone Pipeline Fort Ransom Pump Station  
11948 – 58<sup>th</sup> St., Ransom Co. N.D.  
Noise Issue Update, August, 2012

Dear :

In follow-up to our January 2012 correspondence regarding the TransCanada Keystone Pipeline, LP (TransCanada) ongoing efforts to address concerns raised with respect to intermittent noise level increases stemming from the Fort Ransom Pump Station located in Ransom County, North Dakota, the following communication is intended to provide an update to affected landowners and neighbors of the site.

Subsequent to supplementary operational noise assessment completed in November 2011, TransCanada completed near-field noise measurements of on-site equipment in March 2012. The near-field noise study was completed to support the review and evaluation of noise mitigation (reduction) alternatives. The measurement results were used to update a noise propagation model developed for the site and focus mitigation planning on the dominant sources of intermittent noise level increases. The results were also necessary for detailed engineering design of noise mitigation solutions.

Based on the near-field noise assessment and mitigation design efforts, TransCanada is planning to install additional materials to assist in sound dampening at the site by the end of August, 2012. Specifically the steps we will take include the installation of additional acoustical lagging on select segments of above ground large diameter piping near the pressure control valve and to wrap that valve with a blanket of acoustical insulation.

As stated in our previous correspondence, the results of post construction noise monitoring at Fort Ransom Pump Station show that the operation of the site is in compliance with the noise criteria utilized by the Federal Energy Regulatory Commission (FERC) and voluntarily committed to by Keystone during its permitting process.

Notwithstanding the regulatory requirement, TransCanada has taken the landowner noise concerns very seriously and is committed to implementing a solution to address the offending noise levels. TransCanada is confident that our actions specific to this issue will further reduce noise emission from the site and temper the intermittent noise increases.

TransCanada will continue to keep landowners, neighbors and the North Dakota Public Service Commission (PSC) informed on the status of noise mitigation implementation.

Should you have any questions regarding this matter or our next steps near term in August, please contact myself, at 402-492-7454.

Sincerely,

Robert S. Latimer  
Community Outreach Specialist  
U.S. Keystone Operations (Great Plains Region)  
Ph. 402-492-7454 (office)  
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