



OFFICE OF THE CITY ATTORNEY

November 7, 2007

**By e-mail and U.S. Mail**

Illona A. Jeffcoat-Sacco  
Executive Director  
Public Service Commission  
State Capitol  
Bismarck, ND 58505

**Re: Keystone Pipeline**  
**Case No. PU-06-421**  
**Case No. PU-07-152**

Dear Executive Director Jeffcoat-Sacco:

Administrative Law Judge Al Wahl conducted a Scheduling Conference call yesterday, November 6, 2007 at 4:00 p.m. Present on the conference call were representatives of TransCanada Keystone Pipeline, Dakota Resource Council, the Public Service Commission (through attorney Bill Binek), myself and co-counsel Pat Madsen. Also appearing on the telephone counsel was pro-se intervenor party, Janie Capp. One of the purposes of the telephone call was to identify a time that would be convenient for all when a hearing could be held to take additional testimony – particularly additional testimony from the city of Fargo, as well as rebuttal testimony and so forth. Mr. Binek and Mr. Wahl had preliminarily identified the period of December 3 through 14, 2007 as the time period when the hearing would be scheduled. In response, the city of Fargo indicated that it could be available for hearing on any of the following dates: December 7, 10, 12, and 13. Keystone representatives indicated they had a problem with both of the weeks of December 3 and 10, as Keystone Pipeline would be engaged in hearings before the South Dakota Public Service Commission for pipeline siting in that state.

After further discussion, the participants in the call began to focus on the week of November 26. Of those dates, it appeared that November 27 and 28 will fit into administrative Judge Wahl's schedule the best. Since the conference call yesterday afternoon, I have conferred with the likely participants we would bring to the hearing.

**The city of Fargo is prepared to present its evidence at a hearing scheduled for November 27 and 28. One of our potential witnesses would not be available November 27, and so we would request that the hearing be scheduled for both days (27 and 28) so that the city can present all of its anticipated testimony.**



Illona A. Jeffcoat-Sacco  
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If you need further information from me, please do not hesitate to give me a call.

Sincerely,

A handwritten signature in blue ink, appearing to read 'ERJ', with a stylized flourish extending to the right.

Erik R. Johnson

ERJ/jmf

cc: By e-mail and U.S. Mail:  
Thomas D. Kelsch  
Todd Kranda  
John and Janie Capp  
Nicolas Delaney  
Pat Madsen