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August 6, 2007

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Hand-Delivered

Ms. Illona Jeffcoat-Sacco
Executive Secretary
North Dakota Public Service Commission
600 East Boulevard Ave., Dept. 408
Bismarck, ND 58505-0480

Dear Ms. Jeffcoat-Sacco:

In re: Enbridge Pipelines (North Dakota), LLC
PSC Case No. 10,472
Our File No. 120-27894



Enclosed for filing please find the original and 11 copies of Request for Deviation from Pipeline Route. Please call us if you have any questions.

Very truly yours,

FLECK, MATHER & STRUTZ, LTD.


BRIAN R. BJELLA

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enc.

STATE OF NORTH DAKOTA

PUBLIC SERVICE COMMISSION

**Enbridge Pipelines (North Dakota), LLC
Construction and Operation of an 8-inch
Crude Oil Pipeline with Associated Facilities
and Pipeline Interconnections in Williams
and McKenzie Counties, North Dakota**

Case No. 10,472

REQUEST FOR DEVIATION FROM PIPELINE ROUTE

By Findings of Fact, Conclusions of Law and Order dated October 11, 1983, the Public Service Commission ("Commission") granted the authority to Portal Pipe Line Company to construct and operate an 8-inch 65 mile crude oil pipeline to Williams and McKenzie Counties, North Dakota. In conjunction therewith the Commission issued Corridor Certificate No. 40 and Route Permit No. 49 each dated October 11, 1983.

Enbridge Pipelines (North Dakota), LLC ("Enbridge") has succeeded to the interest of Portal Pipe Line Company. By Certificate of Amendment of the Certificate of Incorporation dated October 13, 1998, and Certificate of Conversion dated April 23, 2001, filed of record with the Williams County Recorder on September 18, 2001, as Doc. No. 597880, changing the name of Portal Pipe Line Company to Enbridge Pipelines (North Dakota), LLC.

One of the easements obtained for the pipeline was dated October 13, 1983, recorded November 2, 1983, as Doc. No. 456403, from the Board of University and School Lands of the State of North Dakota allowing the pipeline to be constructed across the S½ of Section 36, Township 156 North, Range 101 West, Williams County, North Dakota.

The 8-inch pipeline was the constructed through said lands owned by the State of North Dakota pursuant to the aforementioned easement.

Some time thereafter a school known as Garden Valley Elementary School was constructed within the S½ of said Section 36. It appears that the school did not check the title as it would have discovered the pipeline easement. The playground for the school was constructed over the 8-inch pipeline. Clearly, the legal rights of Enbridge are superior to the rights of the school.

The location of this 8-inch pipeline through the schoolyard was discussed in detail by the Commission at the hearing held August 28, 2006, in Williston, North Dakota, in Case No. PU-06-330. In paragraph 18 of the Findings of Fact, the Commission stated that "Enbridge testified that it has agreed to relocate a segment of the existing 8-inch pipeline which currently passes through the Garden Valley Elementary School ground. The segment would be relocated approximately 350 feet north of the school, outside of the schoolyard. An application for the pipe relocation will be filed with the Commission." This request for deviation constitutes Enbridge's request for relocation of this 8-inch pipeline.

Attached hereto as Exhibit A is a Scope of Work of the proposed relocation and also a map depicting the relocation.

Attached hereto as Exhibit B is a letter dated August 6, 2007, from Enbridge's Environmental Consultant who testified at the hearing in Case No. PU-06-330. In his report he indicates that there are no exclusion areas and that the only relevant avoidance area is the school itself. He further notes that there are no cultural resource sites identified in the area of relocation of the proposed pipeline. He further notes that as the 8-inch pipeline is proposed to be placed adjacent to the new 10-inch pipeline currently being constructed, that the area of the pipeline construction has been thoroughly studied for cultural resources and none were found.

Item Q of the Order issued in Case No. 10,472 provides "that the Commission may require or allow deviations from the requirements of this Order in appropriate circumstances." Pursuant to the authority granted by said Order, and the following statute and regulation; Enbridge requests approval of the deviation of the 8-inch pipeline.

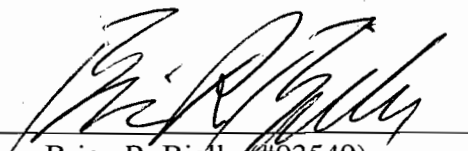
NOW, THEREFORE, pursuant to North Dakota Century Code § 49-22-08.1 and North Dakota Administrative Code § 69-06-05-02(2) Enbridge hereby requests the Commission approve the requested deviation of the route from the Commission in order that it may commence construction of the existing 8-inch pipeline approximately 350 feet north of the school.

This is an urgent matter as construction is already in progress. Enbridge requests the Commission to act on this request as soon as possible.

Dated this 6th day of August, 2007.

FLECK, MATHER & STRUTZ, LTD.
Attorneys for Enbridge Pipelines
(North Dakota), LLC
400 East Broadway, Suite 600
P.O. Box 2798
Bismarck, North Dakota 58502

By


Brian R. Bjella (#03549)



August 6, 2007

sent via e-mail

Ms. Illona Jeffcoat-Sacco
Executive Secretary
North Dakota Public Service Commission
600 E. Boulevard Ave., Dept 408
Bismarck, ND 58505-0480

RE: Enbridge Pipelines (North Dakota) LLC
Garden Valley Elementary School Line Relocation
Environmental Analysis

Dear Ms. Jeffcoat-Sacco:

The purpose of this letter is to provide an environmental analysis of Enbridge Pipelines (North Dakota) LLC ("Enbridge") proposed pipeline relocation project at Garden Valley Elementary School. It is my understanding that the school board for the elementary school requested that Enbridge abandon its existing pipeline on school property on the south side of the school, and replace it with a new pipeline on school property on the north side of the school. The existing pipeline is located under the school playground, and the new pipeline would be located outside the fenced boundaries of the school. Prior to abandoning the pipeline, the inside of the pipe would be cleaned and filled with grout. Drawings illustrating the existing and proposed pipeline have been provided by Rooney Engineering, Inc.

The environmental analysis in this letter includes an evaluation of North Dakota Public Service Commission ("PSC") exclusion areas, avoidance areas, selection criteria, and policy criteria. The study area was limited to the certificated corridor for the existing pipeline in the vicinity of the school. This study area should be sufficient to allow the Commission to evaluate the factors addressed in Chapter 49-22-09 of the North Dakota Century Code.

The study area and proposed route are within the same area evaluated for the Trenton to Beaver Lodge Line Loop presently under construction (case number PU-06-330). Cultural resource surveys were conducted as part of the looping project. No cultural resource sites were identified in the area of the school during those surveys. Endangered species consultations were also conducted as part of the looping project. The consultations determined that endangered species are not known to frequent the area and no critical habitat currently exists in the project area.

Exclusion Areas

Exclusion areas are areas excluded by the PSC in the consideration of a route for a transmission facility. Exclusion areas include, among other things: national and state parks; national and state historic sites; nature preserves; and recreational areas. A

review of the project did not identify any exclusion areas within the study corridor or along the proposed route.

Avoidance Areas

Avoidance areas are areas that are not considered by the PSC in the routing of a transmission facility unless there is no reasonable alternative. Avoidance areas include, among other things: national and state forests; national and state wildlife areas; state management areas; geologically unstable areas; and areas within 500 feet of a residence, school, or place of business. A review of the project identified three avoidance areas within the study corridor and two avoidance areas along the proposed route.

State Management Areas – The study corridor and proposed route fall within a state management area designated for school trust land. The school trust land is occupied, in part, by Garden Valley Elementary School. The proposed project would involve abandoning the existing pipeline under the school playground and installing a new pipeline outside the fenced boundaries of the school. The project is being proposed at the request of the school board and would presumably represent an improved use of school trust land.

Geologically Unstable Areas – Landslides pose a potential risk in certain parts of the study corridor. Most landslides occur on steep slopes adjacent to streams and rivers, including areas along the north edge of the study corridor at Cow Creek. Although landslides have occurred in the study area, the proposed pipeline route is located away from the steep slopes and is not prone to landslides.

Within 500 Feet of a School – The study corridor and proposed route fall within 500 feet of the Garden Valley Elementary School. The pipeline cannot be relocated more than 500 feet from the school without being routed through geological unstable areas. The proposed route represents the best location for the pipeline on the property.

Selection Criteria

Selection criteria are those environmental resources on which the project must have an acceptable minimum amount of impact, as determined by the Commission. The two selection criteria within the study corridor and along the proposed route include: noise sensitive areas and health and human safety.

Noise Sensitive Areas – Garden Valley Elementary School represents a noise sensitive area within the study corridor and near the proposed route. While operation of the pipeline would not result in noise, construction would. Enbridge is planning to complete the work this summer before the school year has started, thereby eliminating construction noise impacts on the school. However, it is possible that construction could not be completed until later in the summer after school has commenced. If school is in session during construction, Enbridge would meet with school administrators to inform them of the project and coordinate construction such that noise impacts would be reduced or eliminated.

Human Health and Safety – Pipelines are the safest, most reliable manner of transporting crude oil. Transporting large volumes of crude oil over long distances by pipeline is safer than by truck, railcar, or barge. Despite its excellent safety record, the transportation of crude oil by pipeline involves some risk to the public. The most obvious risk is the potential for fire in the event of an accidental release. Toxic exposure through skin contact, ingestion, or vapor inhalation is also a risk if there is a release.

The study corridor and proposed route are near Garden Valley Elementary School. The proposed project would involve abandoning the existing pipeline from under the school playground and installing a new pipeline in a safer location outside the fenced boundaries of the school. Before the pipeline is abandoned, the inside of the pipe would be cleaned and filled with grout. Enbridge is planning to complete the pipeline relocation this summer before the school year has started, thereby eliminating safety concerns associated with construction. However, it is possible that construction could not be completed until later in the summer after school has commenced. If school is in session during construction, Enbridge would meet with school administrators to inform them of the project and associated potential hazards; install a temporary fence and warning signs between the school and work area during construction; implement a safety watch on school days during active construction; and control dust by watering the construction work area near the school where dust is creating a nuisance.

Policy Criteria

Policy criteria are those factors which are positively affected by the project that may lead the Commission to give preference to an applicant. Enbridge is undertaking the proposed pipeline project at the request of the school board whose intention is to improve safety of the school and reduce risk to the public.

Sincerely,

Merjent, Inc.


John Muehlhausen

cc: Kris Benson; Enbridge Energy
Brian Bjella; Fleck, Mather & Strutz, Ltd.

Enbridge Pipelines North Dakota, LLC Trenton to Beaver Lodge 8" Pipeline

Re-Route around Garden Valley School Scope of Work

The work to be completed includes re-routing a portion of Enbridge's existing 8" Crude Oil pipeline around the Garden Valley School property and abandoning the section of pipe that currently runs directly through the school yard on the south side of their property. The existing pipe will be replaced in kind and all work shall conform to CFR 49 Part 195, Transportation of Hazardous Liquids by Pipeline, and Enbridge Pipeline Construction Specifications.

The Pipe Characteristics are as follows:

Existing Pipe

Type: API 5L Steel Line Pipe

Outside Diameter: 8.625 inches

Wall thickness: 0.156 inches

Grade: 52,000 PSIG

Pipe Maximum Allowable Operating Pressure (MAOP): 1354 PSIG

Corrosion Coating: Extruded Polyethylene Coating

Replacement Pipe

Type: API 5L PS2 Steel Line Pipe

Outside Diameter: 8.625 inches

Wall thickness: 0.156 inches *

Grade: 52,000 PSIG

Pipe Maximum Allowable Operating Pressure (MAOP): 1354 PSIG*

Corrosion Coating: Fusion Bond Epoxy Coating (14-18 mils)

*The replacement line pipe will have a wall thickness at least as thick as the original pipe. Its MAOP may be higher depending on the actual pipe purchased. In any case the MAOP of the new pipe will exceed the existing pipeline's Maximum Operating Pressure (MOP) of 1204 PSIG.

8" Re-Route

The 8" re-route will include laying new pipe around Garden Valley School, hydrostatically testing it with water, and then connecting it by welding to the existing 8" pipeline on both ends of the re-route. The new 8" pipe will be installed with 4 ft of cover in an alignment around the school property, paralleling the new 10" pipeline (20' offset to the south) as shown in the attached drawing. The re-route will consist of approximately 2100' of new 8".

Abandonment of Existing 8" Pipe

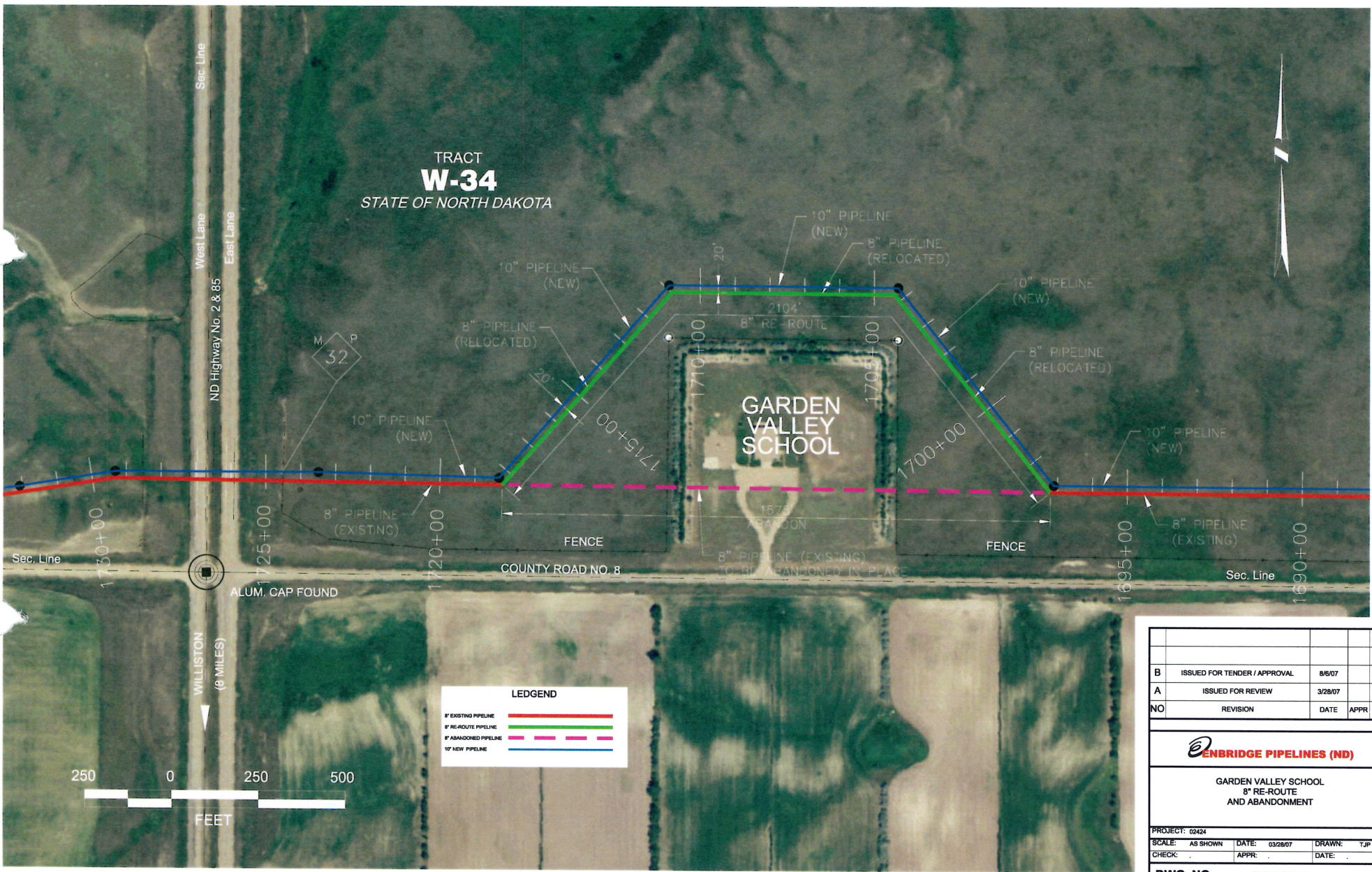
Approximately 1600' of pipe will be abandoned as a follow-up to the re-route. A major portion of this runs across the Garden Valley School property. The plan for abandonment will consist of the following steps:

1. Swabbing the abandoned piece of pipeline with pigs to ensure all liquids have been removed by pushing a pig or pigs thru the line.
2. Install end caps on the abandoned piece of pipeline with injection taps.
3. Fill the abandoned pipe section with a concrete mix using a portable concrete grout pump (Multiple concrete injection locations may be necessary in order to completely fill the pipe section). Once the concrete has setup any open ends or taps on the pipe will be capped or plugged.
4. Backfill the exposed pipeline.

Schedule

The estimated timeframe to complete this work will be Fall 2007.

TRACT
W-34
STATE OF NORTH DAKOTA



LEGEND

8" EXISTING PIPELINE	
8" RE-ROUTE PIPELINE	
8" ABANDONED PIPELINE	
10" NEW PIPELINE	

B	ISSUED FOR TENDER / APPROVAL	8/6/07	TJP
A	ISSUED FOR REVIEW	3/28/07	TJP
NO	REVISION	DATE	APPR BY

ENBRIDGE PIPELINES (ND)

GARDEN VALLEY SCHOOL
8" RE-ROUTE
AND ABANDONMENT

PROJECT:	02424
SCALE:	AS SHOWN
DATE:	03/28/07
DRAWN:	TJP
CHECK:	APPR:
DATE:	DATE:

DWG. NO. EXHIBIT A