



Michael A. Dwyer
Executive Vice President
701-223-4615
701-223-4645 (Fax)

PO Box 2254 • Bismarck, ND 58502-2254

RECEIVED

July 14, 2008

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PUBLIC SERVICE COMMISSION

Commissioner Susan Wefald
ND Public Service Commission
600 E Boulevard Ave, Dept. 408
Bismarck, ND 58505-0458

Dear Commissioner Wefald:

The North Dakota Water Users Association is a nonprofit organization that represents numerous water interests in the state of North Dakota. As such, we are very concerned about any project that may impact the waters in North Dakota. We want to make it clear that we are not opposed to the project, but that water supplies in North Dakota are scarce and need to be protected.

The operation of the NuStar pipeline along the existing route presents potential public health and safety risks that may adversely affect the welfare of a substantial number of the citizens of North Dakota due to undesirable impacts upon the water supply of the city of Fargo and other North Dakota communities who will rely on water resources that either arise in or flow through Lake Ashtabula, the Sheyenne River Basin, and the Red River Basin.

Because of the importance of the Sheyenne River as the conveyance system of a potential sole source of water for downstream municipalities, the alignment of the petroleum pipeline across the Sheyenne River at or near Lake Ashtabula, and across the Red River, should be reviewed for protection against potential contamination of the water supply in the event of a leak or rupture of the pipeline.

Our general concerns are how the pipeline will be monitored and what plans are in place concerning detecting leaks and spills and how those would be handled in the area where the pipeline interacts with the water supply source. The pipeline route traverses the Sheyenne River, the Red River, and tributary streams. Any spill is likely to result in the immediate introduction of petroleum contaminants into these water resources that are the water supply for the city of Fargo and other North Dakota communities, as well as the soils in Fargo. The Public Service Commission should investigate whether the threshold of risk to the municipal water supplies and soils is acceptable.

It is our further opinion that the design standards should be reviewed and modern protections should be put in place by the Public Service Commission as terms of any certificate issued to Applicant.

We hope that our comments are helpful to support operation of the project that protect the water resources of North Dakota.

Sincerely,
Ken Vesterso

Ken Vesterso
President

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Comments Regarding PCN Application

cc: City of Fargo
Lake Agassiz Water Authority
Garrison Diversion Conservancy District

North Dakota Water Users Association