

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF NORTH DAKOTA

In the Matter of the Application of Enbridge
Pipelines (North Dakota) LLC for
Construction of Approximately 11 Miles of
Pipeline, Two Pump Stations and Associated
Facilities in Ward and Burke Counties,
North Dakota

CASE NO. PU-10-612

**CONSOLIDATED APPLICATION OF ENBRIDGE PIPELINES
(NORTH DAKOTA) LLC FOR A WAIVER
OR REDUCTION OF PROCEDURES AND
TIME SCHEDULES AND FOR A
CORRIDOR CERTIFICATE AND ROUTE PERMIT**

Enbridge Pipelines (North Dakota) LLC (“Applicant”) whose address for purposes of this Application is 2505 16th Street SW, Minot, North Dakota, 58701, pursuant to the Energy Conversion and Transmission Facility Siting Act, codified at North Dakota Century Code Chapter 49-22 (“Act”), hereby submits this Consolidated Application For a Waiver or Reduction of Procedures and Time Schedules and For a Corridor Certificate and Route Permit (“Application”).

Applicant requests that the North Dakota Public Service Commission (“Commission”) waive and/or reduce procedures and time schedules required by the Act or in the Commission’s regulations set forth in Title 69-06 of the North Dakota Administrative Code, to accomplish the purposes as requested herein. These include, but are not limited to: (1) waive, pursuant to North Dakota Century Code §§ 49-22-07.2, 49-22-13(2), and North Dakota Administrative Code § 69-06-01-02 and Chapter 69-06-06; provisions of North Dakota Century Code §§ 49-22-08(5), 49-22-08.1(5), 49-22-13, and North Dakota Administrative Code § 69-06-01-02 which require

separate filings of such applications, separate notices of such applications, separate hearings on such applications and certain time schedules as set forth in said statutes and rules, and allow consolidation into one application; (2) approve a one-mile wide corridor rather than a 1.1 mile wide corridor pursuant to North Dakota Administrative Code § 69-06-04-02(1)(b); (3) hold one consolidated public hearing on this consolidated Application for the two affected counties; (4) find that the proposed facilities are of such design, location and purpose that they will produce minimal adverse affects; and (5) designate and approve the requested facilities as identified in this Application and issue the appropriate corridor certificate and route permit.

The Commission's application guidelines for waiver of procedures and time schedules require the description of the facility, the need for the facility, the cost of the facility and separate justification for each provision of the Act for which the Applicant is requesting a waiver, together with evidence that the project will produce minimal adverse effects or that a demonstrable emergency exists. As demonstrated in this Application, and summarized below, Applicant's requests for waivers and/or reductions of procedures and time schedules and the issuance of a corridor certificate and route permit are justified as the proposed facilities are of such design, location and purpose that they will produce minimal adverse effects, and that the urgent demand for additional pipeline capacity to deliver crude oil produced in the Williston Basin of North Dakota to markets and refineries in the United States requires construction at the earliest possible date.

DESCRIPTION

The proposed project ("Bakken Pipeline Project US") consists of replacement of approximately 11 miles of Applicant's Line 26 from milepost 29 to milepost 40 located in Burke

County, North Dakota. In addition, Applicant will construct two new greenfield pump stations. One station will be located near the town of Kenaston, in Ward County, North Dakota, and the other will be located near the town of Lignite, in Burke County, North Dakota. In addition, Applicant will make certain station modifications at its existing Berthold Station and Terminal in Ward County as part of this project.

NEED

The purpose of the Bakken Pipeline Project US is to transport crude oil produced primarily from the Bakken and Three Forks Formations in the Williston Basin of North Dakota, by creating additional pipeline capacity to meet the long-term transportation requirements of Applicant's shippers to markets and refineries in the Midwest and beyond. The greatly increased production of oil from the Bakken Formation and other oil producing formations within the Williston Basin of North Dakota has created an urgent need for additional pipeline capacity to get the oil to eastern and southeastern markets and refineries. Without increased transportation capacity out of the Williston Basin, crude oil drilling projects could be curtailed by shippers on Enbridge's system due to lack of adequate transportation facilities. Once completed, the project would increase Line 26's capacity from 25,000 barrels per day to 145,800 barrels per day.

COST

The estimated cost of constructing the 11-mile replacement segment, the two new greenfield pump stations, and modifications at Berthold Station and Terminal in Ward County, is estimated at \$73.1 million.

JUSTIFICATION

The environmental and cultural resource studies and reports which have been commissioned by the Applicant for this project demonstrate that there will be minimal adverse effects by construction. As a result, Applicant hereby submits that there is substantial justification for the requested waivers and/or reduction of time schedules and procedures, as the Bakken Pipeline Project US will produce minimal adverse effects.

Applicant respectfully requests the Commission to grant the requested waivers and/or reduction of procedures and time schedules; and to render an expeditious decision approving the requested corridor certificate and route permit.

Dated this 5th day of November, 2010.

Respectfully submitted,

ENBRIDGE PIPELINES (NORTH DAKOTA)
LLC

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