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United States Department of State

*Under Secretary of State  
for Economic, Energy, and  
Agricultural Affairs**Washington, D.C. 20520-7512*

September 17, 2010

Denise Hamsher  
Enbridge Pipelines (North Dakota) LLC  
Director, Major Projects Planning  
1409 Hammond Ave.  
Superior, WI 54880

Dear Ms. Hamsher:

On July 10, 2010, you submitted a letter to this office on behalf of Enbridge Pipelines (North Dakota) LLC ("EPND"), seeking State Department concurrence that the reversal of flow of a 12-inch diameter pipeline (referred to in your letter as "Line 26") at an existing border crossing facility located at the international boundary between the United States and Canada in Burke County, North Dakota does not require issuance of a new or amended Presidential permit. The Department had previously issued a Presidential permit for this pipeline in 1996 to Portal Pipeline Company, which your letter stated was acquired by EPND in 1996. Your letter alternatively requests that, should the Department determine that a Presidential permit application is needed in this case, your letter be deemed such an application.

Your letter explained that the proposed reversal of flow at the existing border crossing facilities would be for the purpose of transporting United States-sourced crude oil across the international boundary into Canada for delivery to interconnected facilities of EPND's Canadian affiliates in Saskatchewan, and thereafter for the importation of that crude oil back into the United States through the interconnection with the existing Enbridge Inc. pipeline system via Cromer, Manitoba.

After examining the existing Presidential permit issued by the Department to Portal Pipeline in 1996, the detailed information provided in your letter concerning your proposal, and based on discussions with EPND officials, the Department of State does not believe a new or amended permit

is necessary for the proposed reversal of flow in the existing pipeline. The language in the existing permit authorizes the permittee to construct, connect, operate and maintain a pipeline “for the transport of crude oil between the United States and Canada” (emphasis added). We believe this language encompasses your proposal, as described in your July 9, 2010 letter. Accordingly, an application for a new or amended permit is not necessary.

As noted in your letter, EPND may wish to increase the capacity of Line 26 at some point in the future by adding two new pumping stations, one near Kenaston, Saskatchewan and one near Lignite, North Dakota. Further, EPND may wish to replace and relocate an 11 mile segment of the original 12-inch pipeline south of Lignite. We ask that the State Department be notified if such modifications become necessary so that we can assess whether any additional actions are necessary at that time on the part of this Department.

Please contact us further if you have any questions regarding this matter.

Sincerely,



Stephen J. Gallogly  
Director  
Office of International Energy and Commodity Policy