



Public Service Commission  
State of North Dakota

COMMISSIONERS

Tony Clark  
Brian P. Kalk  
Kevin Cramer

Executive Secretary  
Darrell Nitschke

600 East Boulevard, Dept. 408  
Bismarck, North Dakota 58505-0480  
Web: www.psc.nd.gov  
E-mail: ndpsc@nd.gov  
Phone: 701-328-2400  
ND Toll Free: 1-877-245-6685  
Fax: 701-328-2410  
TDD: 800-366-6888 or 711

4 August 2011

Mr. Allen C. Hoberg  
Office of Administrative Hearings  
2911 North 14<sup>th</sup> Street, Suite 303  
Bismarck, ND 58503

Re: Enbridge Pipelines (North Dakota) LLC  
Bakken Pipeline Project US - Ward & Burke Counties  
Siting Application  
Case No. PU-10-612

Enbridge Pipelines (North Dakota) LLC  
Beaver Lodge Loop Project - Williams, Mountrail, Ward Counties  
Siting Application  
Case No. PU-10-613

Dear Mr. Hoberg:

Enclosed is a request for an Administrative Law Judge in the captioned two cases. Two Informal Hearings are scheduled to begin on 24 August 2011, at 2:30 p.m. and 3:00 p.m., CDT, in the Commission Hearing Room on the 12th floor of the State Capitol. Al Wahl was previously assigned as the ALJ in these cases under OAH File No. 2010-0421 and we ask that he be reassigned providing he is available. A copy of the Notice of Filings, Notice of Informal Hearing, and Notice of Opportunity for Hearing for each case are enclosed.

The ALJ will serve as a procedural law judge. Both of the Informal Hearings will be electronically recorded. We do not anticipate that the ALJ will be presiding at the Informal Hearings.

If you have any questions, please contact me. Thank you.

Best regards,

Illona A. Jeffcoat-Sacco  
General Counsel

enclosure  
c: w/encl. Brian Bjella



**REQUEST FOR ADMINISTRATIVE LAW JUDGE--APPEAL, APPLICATION, OR PETITION**  
 NORTH DAKOTA OFFICE OF ADMINISTRATIVE HEARINGS  
 SFN 17819 (Rev. 03-2001)

Name of Agency, Board, or Commission  
 North Dakota Public Service Commission

The above named agency, board, or commission requests designation of an administrative law judge from the Office of Administrative Hearings for the Enbridge Pipelines - Bakken, Case No. PU-10-612 and Enbridge Pipelines - Beaver Lodge  
Case No. PU-10-613 Siting Applications

(e.g., application of [name], appeal of [name], petition of [name]). Authority for the administrative action is found in North Dakota Century Code Chapter 49-22 (North Dakota Century Code and/or North Dakota Administrative Code).

Please attach related documents and correspondence.

The administrative action is more fully described as follows:  
 Enbridge requests changes to recently approved corridor and route - see Notices for more information

It requests designation of an administrative law judge (please check one):

- To conduct the hearing and issue recommended findings of fact, conclusions of law, and order.
- To serve as a procedural administrative law judge only (no recommended decision). The agency head will be present at the hearing as required by NDCC 54-57-04(6).
- To conduct the hearing, issue findings of fact, conclusions of law, and a final order.

**PLEASE MAKE A REQUEST FOR AN ADMINISTRATIVE LAW JUDGE AT LEAST ONE MONTH BEFORE THE HEARING.**

Please list parties, including the agency if it is a Party, and Representation [attorney (or other)] if known, or Agency Contact: (Attach separate list if necessary.)

AGENCY See attached	Address	Telephone Number
Representation	Address	Telephone Number
PARTY	Address	Telephone Number
Representation	Address	Telephone Number
PARTY	Address	Telephone Number
Representation	Address	Telephone Number

Additional Comments  
 Two Informal Hearings are scheduled to begin on 24 August 2011, at 2:30 p.m. and 3:00 p.m., CDT, in the Commission Hearing Room on the 12th floor of the State Capitol. Al Wahl was previously assigned as the ALJ to these cases under OAH File No. 2010-0421

(For agencies required to use OAH, notice of hearing will be issued by the administrative law judge, unless a procedural administrative law judge is requested. Other requesting agencies and agencies requesting a procedural administrative law judge should first contact OAH about scheduling a hearing. If notice has already been issued, attach a copy of the notice.)

Typed or Printed Name and Title of Requesting Person Illona A. Jeffcoat-Sacco, General Counsel	Date 4 August 2011
Signature of Requesting Person <i>x Illona A. Jeffcoat-Sacco</i>	Telephone Number 701-328-2407

Attachment  
 Request for ALJ  
 4 August 2011

Enbridge Pipelines (North Dakota) LLC  
 Bakken Pipeline Project US - Ward & Burke Counties  
 Siting Application  
 Case No. PU-10-612

Enbridge Pipelines (North Dakota) LLC  
 Beaver Lodge Loop Project - Williams, Mountrail, Ward Counties  
 Siting Application  
 Case No. PU-10-613

<b>AGENCY</b>	<b>Address</b>	<b>Telephone Number</b>
North Dakota Public Service Commission	600 E. Blvd. Ave. Dept. 408 Bismarck, ND 58505-0480	701-328-2400
<b>Representation</b> Mitchell Armstrong Smith Bakke Porsborg Schweigert & Armstrong	<b>Address</b> 122 E. Broadway Ave. Bismarck, ND 58501	<b>Telephone Number</b> 701-258-0630
<b>PARTY</b> Enbridge Pipelines (North Dakota) LLC	<b>Address</b> 2505 16 <sup>th</sup> St. SW Minot, ND 58701	<b>Telephone Number</b> 701-857-0832
<b>Representation</b> Brian R. Bjella Crowley Fleck PLLP	<b>Address</b> PO Box 2798 Bismarck ND 58502-2798	<b>Telephone Number</b> 701-223-6585
<b>PARTY</b>	<b>Address</b>	<b>Telephone Number</b>
<b>Representation</b>	<b>Address</b>	<b>Telephone Number</b>
<b>PARTY</b>	<b>Address</b>	<b>Telephone Number</b>
<b>Representation</b>	<b>Address</b>	<b>Telephone Number</b>

**STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION**

**Enbridge Pipelines (North Dakota) LLC  
Bakken Pipeline Project US – Ward & Burke Counties  
Siting Application**

**Case No. PU-10-612**

**NOTICE OF FILINGS, NOTICE OF INFORMAL HEARING AND NOTICE OF  
OPPORTUNITY FOR HEARING**

**August 3, 2011**

The North Dakota Public Service Commission's (Commission) May 5, 2011 Findings of Fact, Conclusions of Law and Order issued, to Enbridge Pipelines (North Dakota), LLC (Enbridge), a Certificate of Corridor Compatibility and a Route Permit for the construction of the Bakken Pipeline Project US located in Burke and Ward Counties, North Dakota. The Bakken Pipeline Project consists of approximately 11 miles of 12-inch crude oil pipeline, a new pumping station located near Kenaston, a new pump station near Lignite and station modifications at the existing Berthold Pump Station.

On June 29, 2011, Enbridge filed a request for route deviations in Section 3, Township 162N, Range 92W and in Section 34, Township 162N, Range 92W, all located in Burke County, North Dakota. On July 29, 2011, Enbridge filed an application for an amended certificate of corridor compatibility, an amended route permit, and application for waivers of procedures and time schedules. The corridor and route changes are requested to avoid impacts to three wetlands. The proposed deviations are shown on the attached map.

In its application for waivers of procedures and time schedules, Enbridge requests that the Commission waive the following:

- Procedures that require separate filings of applications for a certificate of corridor compatibility and a route permit,
- Procedures that require separate notices of such applications,
- Procedures that require separate hearings on such applications,
- Procedures that require a public hearing on an application for a certificate of corridor compatibility,
- Procedures that require a public hearing on an application for a route permit.

The issues to be considered in Enbridge's application for waiver of procedures and time schedules are:

1. Are the proposed facilities of such length, design, location, or purpose that they will produce minimal adverse effects and that adherence to applicable procedures and time schedules may be waived?

2. Is it appropriate for the Commission to waive any procedures and time schedules as requested in the application?

The issues to be considered in Enbridge's applications for amended certificate of corridor compatibility and amended route permit are:

1. Will the location, construction, and operation of the proposed facilities produce minimal adverse effects on the environment and upon the welfare of the citizens of North Dakota?
2. Are the proposed facilities compatible with the environmental preservation and the efficient use of resources?
3. Will the proposed facility locations minimize adverse human and environmental impact while ensuring continuing system reliability and integrity and ensuring that energy needs are met and fulfilled in an orderly and timely fashion?

Those interested are invited to comment on the applications in writing. Persons desiring a hearing must file a written request identifying their interest in the proceeding and the reasons for requesting a hearing. **Comments and requests for hearing must be received by August 23, 2011.** If deemed appropriate, the Commission can determine the matter without a hearing.

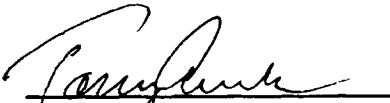
An **Informal Hearing** of this matter is scheduled to begin on **August 24, 2011**, at **2:30 p.m. CDT** in the Commission Hearing Room on the 12th floor of the State Capitol. At the informal hearing, the Commission will discuss this matter with the parties and interested members of the public.

For more information contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400; or Relay North Dakota, 1-800-366-6888 TTY. If you require any auxiliary aids or services, such as readers, signers, or Braille materials, please notify the Commission at least 24 hours in advance.

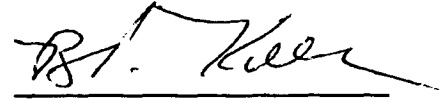
#### **PUBLIC SERVICE COMMISSION**



**Kevin Cramer**  
Commissioner



**Tony Clark**  
Chairman



**Brian P. Kalk**  
Commissioner

Enbridge Pipelines (North Dakota) LLC  
Bakken Pipeline Project US

CANADA

UNITED STATES

**PROPOSED JOHNSON DEVIATION**

In Section 3, T-162-N, R-92-W  
and Section 34, T-163N, R-92-W

**Proposed  
Lignite Station**

Lignite

Burke County

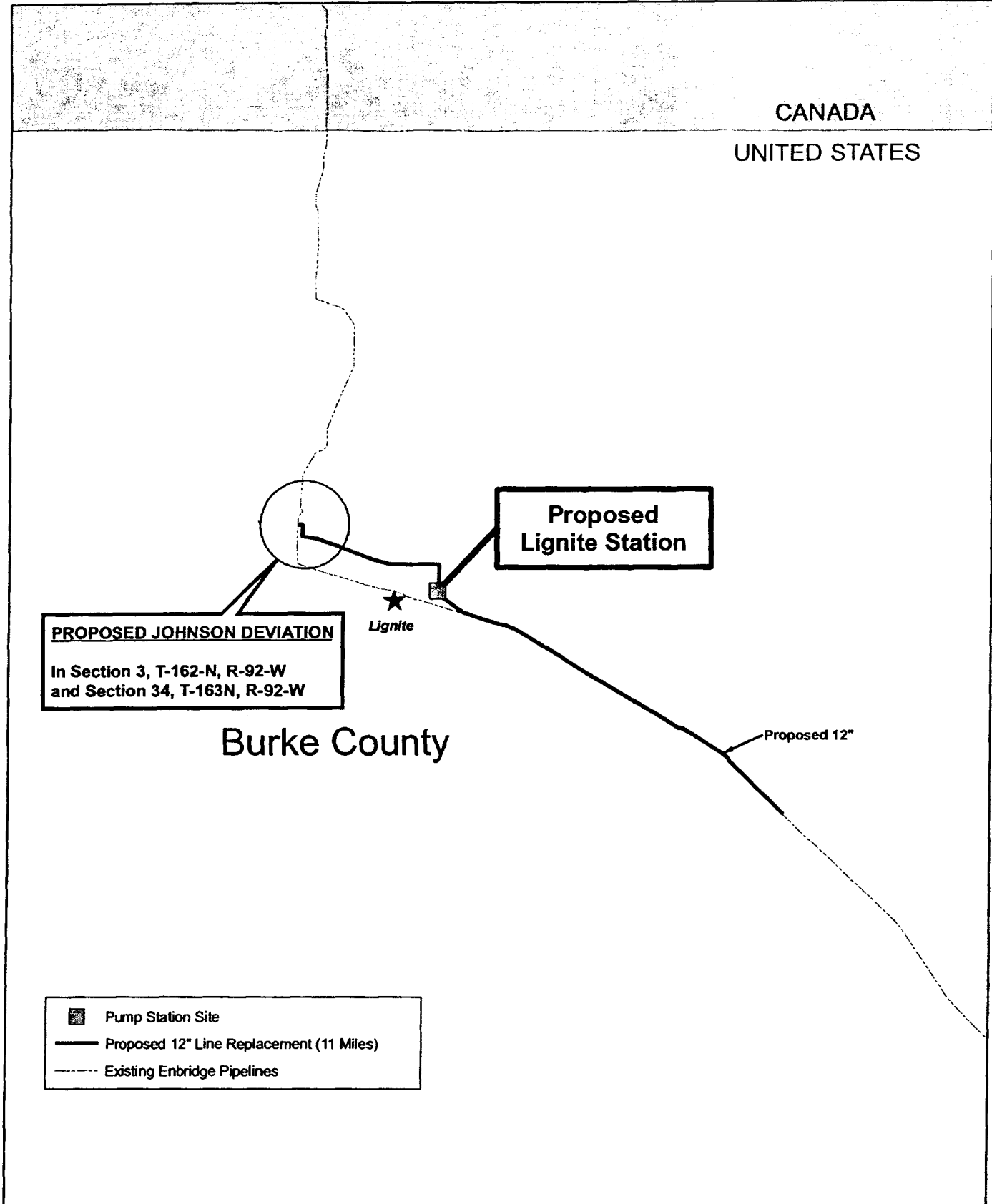
Proposed 12"



Pump Station Site

— Proposed 12" Line Replacement (11 Miles)

- - - Existing Enbridge Pipelines



**STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION**

**Enbridge Pipelines (North Dakota) LLC  
Beaver Lodge Loop Project – Williams, Mountrail &  
Ward Counties  
Siting Application**

**Case No. PU-10-613**

**NOTICE OF FILINGS, NOTICE OF INFORMAL HEARING, AND NOTICE OF  
OPPORTUNITY FOR HEARING**

**August 3, 2011**

The North Dakota Public Service Commission's (Commission) May 18, 2011 Findings of Fact, Conclusions of Law and Order issued to Enbridge Pipelines (North Dakota), LLC (Enbridge) a Certificate of Corridor Compatibility and a Route Permit for the construction of the Beaver Lodge Loop Project located in Williams, Mountrail and Ward Counties, North Dakota. The Beaver Lodge Loop Project consists of approximately 56 miles of 16-inch diameter crude oil pipeline, the installation of new pumping station facilities and tankage at Enbridge's Beaver Lodge Station and Stanley Station, as well as additional tankage at Enbridge's Berthold Station.

On July 5, 2011, Enbridge filed a request for route deviations in Sections 19 and 20, Township 156N, Range 86W in Ward County and in Section 24, Township 156N, Range 87W, in Ward County, North Dakota. On July 29, 2011, Enbridge filed an application for an amended certificate of corridor compatibility, an amended route permit, and application for waivers of procedures and time schedules. The corridor and route changes are requested to provide a buffer zone around a missile silo site and to provide additional temporary workspace to facilitate new pipeline depth requirements at a railway line crossing. The proposed deviations are shown on the attached map.

In its application for waivers of procedures and time schedules, Enbridge requests that the Commission waive the following:

- Procedures that require separate filings of applications for a certificate of corridor compatibility and a route permit,
- Procedures that require separate notices of such applications,
- Procedures that require separate hearings on such applications,
- Procedures that require a public hearing on an application for a certificate of corridor compatibility,
- Procedures that require a public hearing on an application for a route permit.

The issues to be considered in Enbridge's application for waiver of procedures and time schedules are:

1. Are the proposed facilities of such length, design, location, or purpose that they will produce minimal adverse effects and that adherence to applicable procedures and time schedules may be waived?
2. Is it appropriate for the Commission to waive any procedures and time schedules as requested in the application?

The issues to be considered in Enbridge's applications for amended certificate of corridor compatibility and amended route permit are:

1. Will the location, construction, and operation of the proposed facilities produce minimal adverse effects on the environment and upon the welfare of the citizens of North Dakota?
2. Are the proposed facilities compatible with the environmental preservation and the efficient use of resources?
3. Will the proposed facility locations minimize adverse human and environmental impact while ensuring continuing system reliability and integrity and ensuring that energy needs are met and fulfilled in an orderly and timely fashion?

Those interested are invited to comment on the applications in writing. Persons desiring a hearing must file a written request identifying their interest in the proceeding and the reasons for requesting a hearing. **Comments and requests for hearing must be received by August 23, 2011.** If deemed appropriate, the Commission can determine the matter without a hearing.

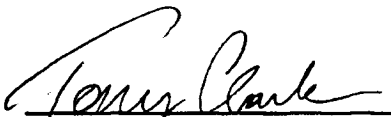
An **Informal Hearing** of this matter is scheduled to begin on **August 24, 2011**, at **3:00 p.m. CDT** in the Commission Hearing Room on the 12th floor of the State Capitol. At the informal hearing, the Commission will discuss this matter with the parties and interested members of the public.

For more information contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400; or Relay North Dakota, 1-800-366-6888 TTY. If you require any auxiliary aids or services, such as readers, signers, or Braille materials, please notify the Commission at least 24 hours in advance.

#### PUBLIC SERVICE COMMISSION



**Kevin Cramer**  
Commissioner



**Tony Clark**  
Chairman



**Brian P. Kalk**  
Commissioner

Enbridge Pipelines (North Dakota) LLC  
Beaver Lodge Loop Project

