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August 16, 2011

RECEIVED

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PUBLIC SERVICE COMMISSION

Hand Delivery

Mr. Darrell Nitschke
Executive Director
North Dakota Public Service Commission
600 E. Boulevard, Dept. 408
Bismarck, ND 58505-0480

Dear Mr. Nitschke:

RE: Enbridge Pipelines (North Dakota) LLC
Beaver Lodge Loop Project
Route Deviation No. 3-72nd Avenue Deviation
Case No. PU-10-613
Our File No. 31-411-003

Enclosed for filing pursuant to North Dakota Administrative Code § 69-06-05-02(2) are the original and ten copies of a deviation for Enbridge's Beaver Lodge Loop Project and as approved in Case No. PU-10-613.

Enclosed please find what is described as the 72nd Avenue deviation, including maps showing the requested deviated route along with an affidavit by an authorized agent of Enbridge certifying that there are no known exclusion or avoidance areas impacted by the deviated route.

This deviation is being requested due to the abnormally wet cycle, as a wetland has greatly enlarged and encompassed the area of the approved pipeline route. Enbridge proposes a slight deviation to the north in order to avoid the large wetland.

We call to your attention that this deviation will be contained within the 250-foot wide corridor as approved by the Commission in Certificate of Corridor Compatibility No. 119 and Route Permit Certificate No. 129.

Enbridge respectfully requests an expedited review of this route deviation as construction crews will likely reach this property location by next Monday, August 22.

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Please call should you have any questions.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Brian R. Bjella", written over a light blue horizontal line.

Brian R. Bjella

bw

Enc.

cc: Pat Fahn (with enclosures)

Enbridge Pipelines (North Dakota) LLC

**North Dakota PSC
Docket No. PU-10-613**

Beaver Lodge Loop Project

Route Deviation

Route Deviation No. 3 – 72nd Avenue Deviation

Mile Post 43.7 – Mile Post 44.4

August 15, 2011

Mile Post 43.7 to Mile Post 44.4 – 72nd Avenue Deviation

Enbridge Pipelines (North Dakota) LLC (“EPND”) hereby respectfully requests authorization to adjust its pipeline centerline which the North Dakota Public Service Commission (“ND-PSC” or “Commission”) approved and permitted by Findings of Fact, Conclusion of Law and Order dated May 18, 2011, in Case No. PU-10-613¹. EPND must adjust its pipeline centerline to avoid a wetland on the east side of 72nd Avenue NW which has expanded in surface area and increased in depth due to above normal precipitation as shown on the route map enclosed herewith as Attachment A.. The wetland’s increased depth and expanded surface area make conventional wetland construction along the original alignment impractical. The preferred method of construction is a directional bore. As the water extends to the eastern edge of 72nd Avenue NW, a bore would need to be extended to the west side of 72nd Avenue NW so the tie-in excavations on both ends of the bore would not be underwater. The approved centerline must be shifted to the north in order to provide a primarily straight line in which to complete the bore.

A. Description of Route Deviation

The proposed route deviation (the “72nd Avenue Deviation”), is located within the one-mile study area which the ND-PSC evaluated during the approval process of Case No. PU-10-613. As proposed, the 72nd Avenue Deviation begins at Mile Post 44.4 where the pipeline centerline must be adjusted to the north between Mile Post 44.4 in Section 24 Township 156 North, Range 89 West and Mile Post 43.7 in Section 19, Township 156 North, Range 86 West, all being located in Mountrail County, North Dakota. The 72nd Avenue Deviation will consist of approximately 2,748 feet of 12-inch diameter pipeline. The 2,748 feet are located within EPND’s permitted route corridor, which the Commission approved by Order dated May 18, 2011. See Summary Table 1.1 below.

Summary Table 1.1			
Comparison of Approved Pipeline Centerline Between MP 44.4 and MP 43.7			
To			
Pipeline Centerline Adjustment Between MP 44.4 and MP 43.7			
Land Use & Land Cross ^a	Units	Approved Pipeline Centerline within Permitted Route Corridor	Requested Route Deviation
Total Length	Feet	2,849	2,748
Length Outside Permitted Route Corridor	Feet	0	0
Roads Crossed	Number	1	1
Construction Footprint	Feet	110	110
Permanent Right-of Way Requirement	Feet	50	50
Temporary Workspace	Feet	60	60

¹ In conjunction therewith, the Commission issued Corridor Certificate No. 119 and Route Permit No. 129.

Summary Table 1.1 Comparison of Approved Pipeline Centerline Between MP 44.4 and MP 43.7 To Pipeline Centerline Adjustment Between MP 44.4 and MP 43.7			
Land Use & Land Cross ^a	Units	Approved Pipeline Centerline within Permitted Route Corridor	Requested Route Deviation
Additional Temporary Workspace	Sq Ft	22,500	22,500

B. Purpose & Justification as Preferred Route

As stated above, the 72nd Avenue route deviation is needed in order to allow space for a directional bore where a conventional wetland construction method is impractical along the original route due to historically high water levels. EPND believes that the 72nd Avenue Deviation is in the public interest and respectfully requests that the Commission grant EPND approval to proceed with the minor centerline adjustment of its 12-inch diameter pipeline.

C. Analysis of the Potential Impacts on the Human and Natural Environment

In connection with the 72nd Avenue Deviation requested herein, EPND has analyzed the impacts of the centerline adjustment in accordance with the Commission's Transmission Facility Corridor and Route Criteria². The 72nd Avenue Deviation has the same or less impacts as the existing and approved pipeline route which was evaluated and permitted by this Commission in accordance with North Dakota Century Code Section 49-22-09 and North Dakota Administrative Code ("NDAC") 69-06-08-02³. Thus, EPND submits the following information to demonstrate that no significant adverse impact will result from the location, construction or operation of the 72nd Avenue Deviation.

C.1 Exclusion Areas

- No exclusion areas were identified in accordance with the criteria set out in NDAC Section 69-06-07-02.1

C.2 Avoidance Areas

- No avoidance areas were identified in accordance with the criteria set out in NDAC Section 69-06-07-02.2.

² North Dakota Administrative Code Section 69-06-08-02.

³ See Findings of Fact, Conclusion of Law Order dated May 18, 2011 in Case No. PU-10-613, which the Commission authorized the transmission facility corridor and route for the Beaver Lodge Loop Project US in Williams, Mountrail and Ward Counties in Corridor Certificate No. 119 and Route Permit No. 129.

○ **C.3 Selection Criteria**

As shown on Table 1.2 below, EPND has analyzed the impacts of the route deviation in relation to all of the relevant Selection Criteria. EPND concluded that the route deviation will have no significant adverse impact on the location or operation of the Project as approved by the Commission's Order dated May 18, 2011. The route deviation will, however, improve the constructability through a wetland as the current water level has expanded the wetland's surface area beyond its Fall 2010 delineated boundary.

Table 1,2		
Selection Criteria Considered		
SELECTION CRITERIA CONSIDERED	CROSSED BY APPROVED CORRIDOR AND ROUTE	CROSSED BY REQUESTED DEVIATION
Agricultural Production	Minimal	Substantially Similar
Family Farms and Ranches	Minimal	Substantially Similar
Land Suitable for Irrigation	Minimal	Substantially Similar
Surface and Groundwater Flow Patterns	Minimal	Substantially Similar
Noise Sensitive Areas	Minimal	Substantially Similar
Visual Effects	Minimal	Substantially Similar
Extractive and Storage Resources	Minimal	Substantially Similar
Wetlands	Minimal	Substantially Less as wetland will now be bored rather than traditional open-cut crossing
Woodlands	NA	NA
Communication or Electric Control Facilities	Minimal	Substantially Similar
Human Health and Safety	Minimal	Substantially Similar
Animal Health and Safety	Minimal	Substantially Similar
Plant Life	Minimal	Substantially Similar

C.4 Policy Criteria

EPND has analyzed the relevant Policy Criteria as it relates to the 72nd Avenue Deviation. EPND has concluded that the 72nd Avenue Deviation will not alter any of its commitments as stated in Policy Criteria⁴ Section B.4.c of its Application for a Route Permit, as approved by the Commission's Order dated May 18, 2011.

EPND hereby submits its commitment to maximize the benefits of its route deviation so as to meet the Commission's Policy Criteria. Thus, EPND remains committed to the following:

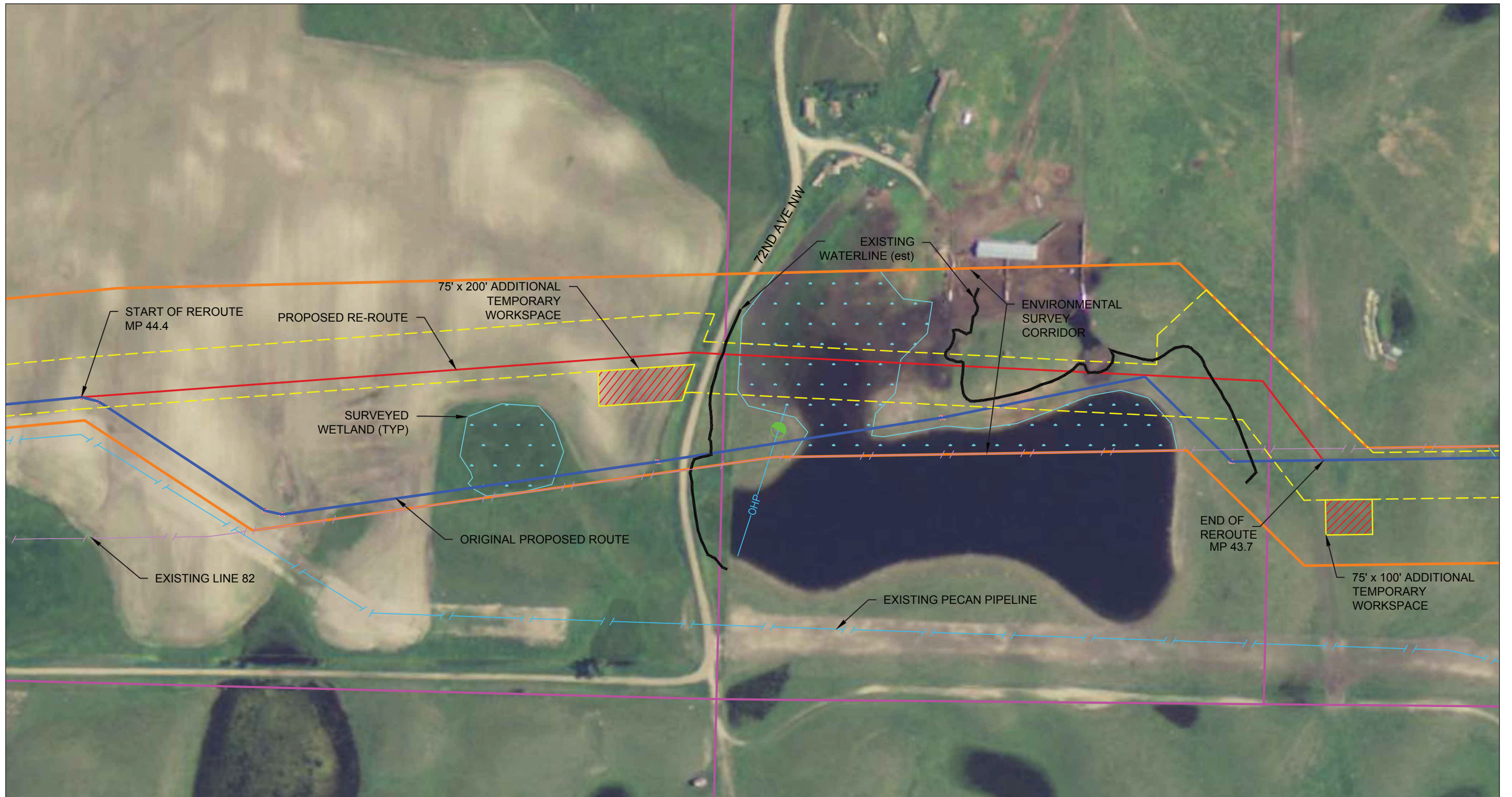
- conducting its business in compliance with all applicable environmental laws and regulations;
- using energy conservation through the location, process, and design of its transmission facility as approved and the same for the route deviation;
- providing training and utilize available labor in the state;
- constructing its approved Project and the route deviation as to take advantage of economies of scale;
- achieving transmission capacity in the most minimally intrusive and most efficient way possible; and
- coordinating with state and local officials.








D. Environmental Assessment for Route Deviation

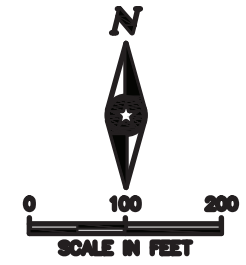
The 72nd Avenue Deviation is located within EPND's permitted survey corridor and will not impact the environmental data that has been assessed, specifically with regard to cultural resources, wetlands and protected species, as described in Section B of the Application for Certificate for Corridor Compatibility and approved by the Commission's Order dated May 18, 2011

⁴ North Dakota Administrative Code Section 69-06-08-02.4

ATTACHMENT A
Aerial Route Map
And
Topographic Map



- LEGEND**
-  EXISTING PIPES
 -  ORIGINAL PROPOSED 16" PIPELINE ROUTE
 -  ALTERNATE 16" PIPELINE ROUTE
 -  PROPOSED TEMPORARY WORKSPACE
 -  PROPOSED ADDITIONAL TEMPORARY WORKSPACE
 -  WETLAND
 -  PARCEL BOUNDARY



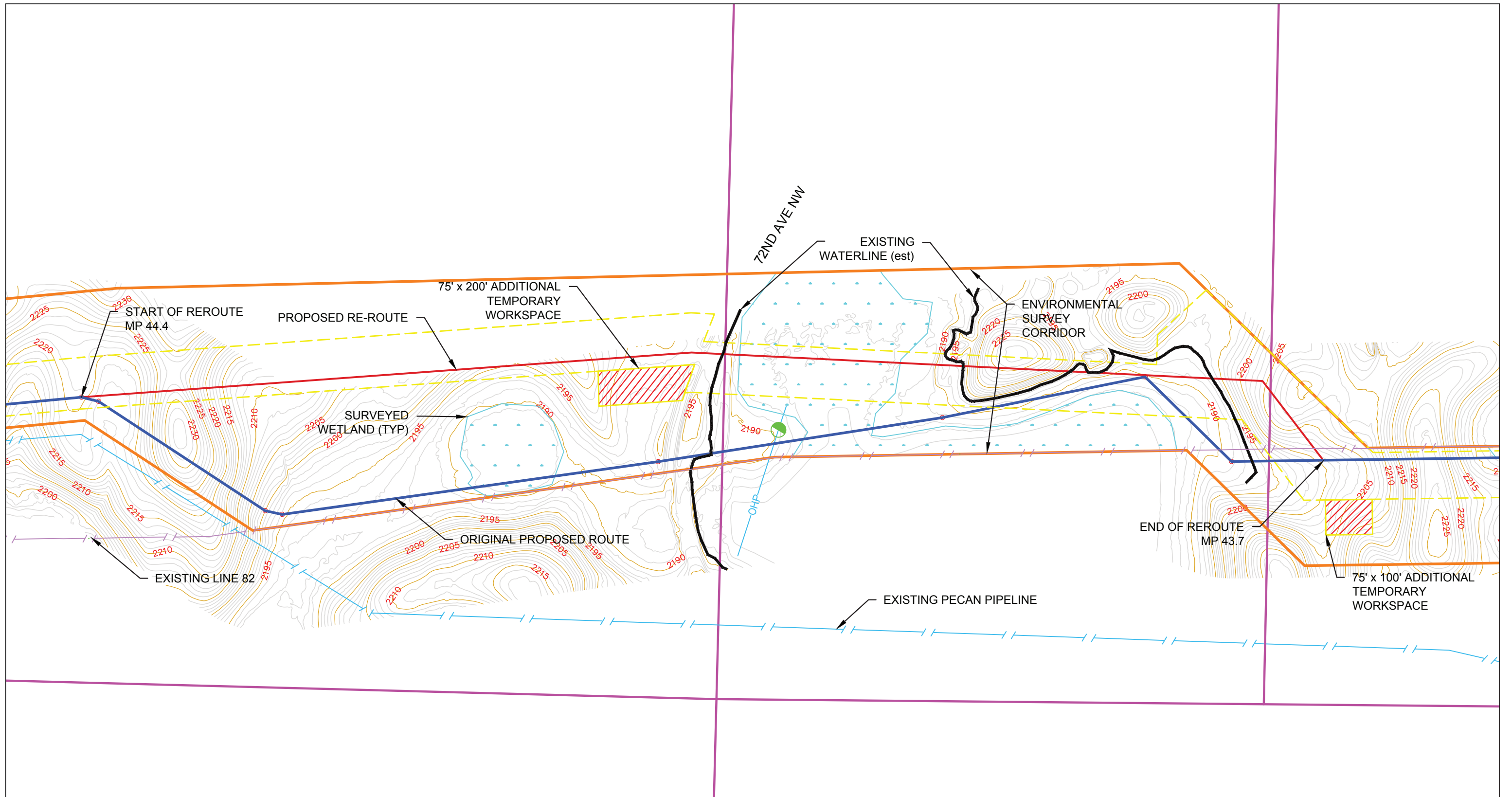
Note:
 Docket No. PU-10-613
 Reference Sheets 2715-M-01007
 Reference Sheets 2715-M-01008

REVISED: AUGUST 11, 2011










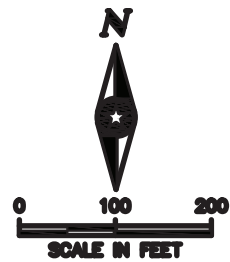
BAKKEN EXPANSION PROGRAM - US
 MOUNTRAIL COUNTY, ND

DRAWING:	MP 43.7 TO 44.4	REVISION	A
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LEGEND

-  EXISTING PIPES
-  ORIGINAL PROPOSED 16" PIPELINE ROUTE
-  ALTERNATE 16" PIPELINE ROUTE
-  PROPOSED TEMPORARY WORKSPACE
-  PROPOSED ADDITIONAL TEMPORARY WORKSPACE
-  WETLAND
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Note:
 Docket No. PU-10-613
 Reference Sheets 2715-M-01007
 Reference Sheets 2715-M-01008

REVISED: AUGUST 11, 2011



BAKKEN EXPANSION PROGRAM - US
 MOUNTRAIL COUNTY, ND

DRAWING: MP 43.7 TO 44.4	REVISION A
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