

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF NORTH DAKOTA

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

CASE NO. PU-10-613

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**SUPPLEMENTAL ORDER**

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Dated June \_\_\_, 2012

1. On May 18, 2011, the Commission issued Findings of Fact, Conclusions of Law and Order (“Order”) granting to Enbridge Pipelines (North Dakota) LLC (“Enbridge”) Certificate of Corridor Compatibility No. 119 and Route Permit No. 129 for approximately 56 miles of 16-inch diameter steel pipe in Williams, Mountrail and Ward Counties, North Dakota; including the installation of new pumping station facilities and tankage at Enbridge’s Beaver Lodge and Stanley Station sites, as well as additional tankage at Enbridge’s Berthold Station site.
2. In its Order, the Commission provided in part: construction along 61<sup>st</sup> Street NW between State Highway 8 and 82<sup>nd</sup> Avenue NW will not begin until Enbridge has submitted an Application for a Route Deviation in this area with sufficient materials showing that any modification to the route meets the requirements of the North Dakota Energy Conversion and Transmission Facility Siting Act and has received approval from the Commission to proceed.

3. On April 30, 2012, Enbridge submitted an Application for a Route Deviation for construction along 61<sup>st</sup> Street NW between State Highway 8 and 82<sup>nd</sup> Avenue NW in Section 33, Township 156 North, Range 91 West, Mountrail County, North Dakota.
4. On May 10, 2012, Enbridge filed an Application for Amended Certificate of Corridor Compatibility, and Application for Amended Route Permit, and Application for Waivers of Procedures and Time Schedules.
5. On May 14, 2014, Enbridge filed a Revised Route Deviation Application.
6. 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 route permit.
7. 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 requested in the Application?
8. Issues to be considered in Enbridge's Application for an 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 the energy needs are met and fulfilled in an orderly and timely fashion?
9. The Commission issued its Notice of Filings, Notice of Informal Hearing, and Notice of Opportunity for Hearing on May 17, 2012, stating that persons desiring a hearing must file a written request identifying their interest in the proceeding and the reason for requesting a hearing, which comments and request for hearing must be received by the Commission by June 15, 2012. The Commission received no such comments or requests by the filing deadline.
10. An informal hearing was held on this matter on June 20, 2012, at 1:45 p.m. CDT in the Commission Hearing Room on the 12<sup>th</sup> Floor of the State Capitol. Enbridge representatives appeared at the informal hearing. No member of the public appeared at the informal hearing.

11. Enbridge has demonstrated compliance with the Order of May 18, 2011, by materials indicating the concurrence of the City of Stanley, Mountrail County and Idaho Township to the requested corridor and route deviations; and in addition has obtained waivers from applicable businesses along the proposed route deviation.
12. As a result, Enbridge has met the requirements of the Order and of the North Dakota Energy Conversion and Transmission Facility Siting Act, and it is appropriate for Enbridge to receive approval for the requested corridor and route deviations.

### **Order**

The Commission orders:

1. Enbridge's requests for corridor and route deviations as set forth in its Applications are granted.
2. This order is supplemental to the Commission's May 18, 2011, Findings of Fact, Conclusions of Law and Order.
3. Enbridge is issued Amended Certificate of Corridor Compatibility No. \_\_\_\_ and Amended Route Permit No. \_\_\_\_.
4. Amended Certificate of Corridor Compatibility No. \_\_\_\_ and Amended Route Permit No. \_\_\_\_ are effective for the life of the pipeline, but are subject to modification by order of the Commission as deemed necessary to further protect the public or the environment.

### PUBLIC SERVICE COMMISSION

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Kevin Cramer  
Commissioner

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Tony Clark  
Chairman

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Brian P. Kalk  
Commissioner