



Public Service Commission

State of North Dakota

COMMISSIONERS

Brian P. Kalk
Randy Christmann
Julie Fedorchak

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

May 7, 2014

Brad Shamla
Vice President, US Operations
Enbridge Energy, Limited Partnership
26 East Superior Street, Suite 309
Duluth, MN 55802

RE: Case No. PU-14-226: Certification regarding exclusion and avoidance areas and supporting documentation

Dear Mr. Shamla,

Thank you for your May 2, 2014, letter notifying the Commission that Enbridge Energy, Limited Partnership ("Enbridge") intends to replace a 15.72-mile segment of its existing 34-inch pipeline, known as Line 3, located in Pembina, North Dakota, as part of an ongoing maintenance program. You indicate that Line 3 has been in service since 1967, prior to codification of the North Dakota Energy Conversion and Transmission Facility Siting Act.

Under North Dakota Century Code Chapter 49-22-03, before conducting any activities within a width of 350 feet on either side of the centerline of a transmission facility constructed before April 9, 1975, the utility must certify in writing to the commission that the activities will not affect any known exclusion or avoidance area and the utility will comply with all applicable conditions and protections in siting laws and rules and Commission orders previously issued for any part of the facility.

This letter is to acknowledge that Enbridge filed a certification under North Dakota Century Code section 49-22-03(3) stating that (1) the pipeline has been in service since 1967; (2) construction activities for the project will take place within 350 feet of either side of the centerline of its existing pipeline; (3) Enbridge will bore under Angle Road so as to not affect this known avoidance area, and construction activities will not affect any other known exclusion or avoidance area; and (4) Enbridge will comply with all applicable federal, state and local laws and permitting requirements, including all applicable conditions and protections in siting laws and rules.

Sincerely,

Julie Prescott
Utility Analyst, Compliance and Competitive Markets Division

2 **PU-14-226** Filed: 5/7/2014 Pages: 1
Letter acknowledging exclusion certification