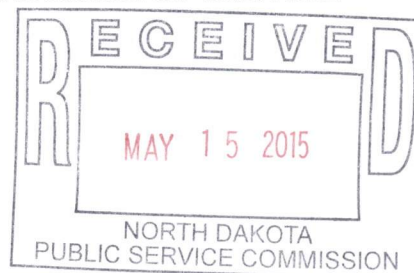


NORTH DAKOTA PUBLIC SERVICE COMMISSION

)
)
)
In the Matter of the Application of Dakota)
Access LLC for a Certificate of Site)
Compatibility and Route Permit for the Dakota)
Access Pipeline Project in Mountrail,)
Williams, McKenzie, Dunn, Mercer, Morton)
and Emmons Counties, North Dakota)
)
)
)
)
)
)

Case No. PU-I 4-842

CERTIFICATE OF SERVICE



I hereby certify that true and correct copies of the **PETITION TO INTERVENE OF THOMAS L. TUHY and AFFIDAVIT OF THOMAS L. TUHY** were on May 14, 2015, filed with the North Dakota Public Service Commission and mailed to the following:

Lawrence Bender
Fredrickson & Byron, PA
1133 College Drive, Suite 1000
Bismarck, ND 58501

Dated this 14th day of May, 2015.

BAUMSTARK BRAATEN LAW PARTNERS
Attorneys for Thomas L. Tuhy
109 North 4th Street, Suite 100
Bismarck, ND 58501
Phone: 701-221-2911
Fax: 701-221-5842

/s/ Derrick Braaten
By: Derrick Braaten

3. Petitioners have a direct and substantial interest in these proceedings, as well as legal property rights which may be substantially affected by the ND Public Service Commission's findings and conclusions in this matter. Petitioners are intimately familiar with the land they own and rent, and can provide the PSC with specific information related to its routing determination in this proceeding, with respect to their individual lands.
4. Petitioners are not adequately represented by existing parties, and Petitioners' intervention would not unduly broaden the issues or delay the proceedings, particularly given the early nature of the proceedings.
5. Petitioners are not necessarily in support of or opposed to the relief sought by the applicant in this proceeding, but intend to oppose such relief if it allows Dakota Access to cross the lands they own and rent in a manner that will cause unnecessary or unreasonable damage to the land and to their farming operations.

Dated this 14th day of May, 2015.

BAUMSTARK BRAATEN LAW PARTNERS

 /s/ Derrick Braaten
Derrick Braaten (ND 06394)
109 North 4th St., Suite 100
Bismarck, ND 58501-4003
Tel. 701-221-2911
Fax 701-221-5842
derrick@baumstarkbraaten.com

TARLOW AND STONECIPHER, PLLC

 /s/ Matt Kelly
Matt J. Kelly (TL-08000)
1705 West College Street
Bozeman, MT 59715-4913
Telephone: 406-586-9714
Fax: 406-586-9720
mkelly@lawmt.com

NORTH DAKOTA PUBLIC SERVICE COMMISSION

)
)
)
In the Matter of the Application of Dakota)
Access LLC for a Certificate of Site)
Compatibility and Route Permit for the Dakota)
Access Pipeline Project in Mountrail,)
Williams, McKenzie, Dunn, Mercer, Morton)
and Emmons Counties, North Dakota)
)
)
)
)
)
)

Case No. PU-I 4-842

AFFIDAVIT OF THOMAS L. TUHY

STATE OF NORTH DAKOTA)
)ss.
COUNTY OF DUNN)

Thomas L. Tuhy, individually, being duly sworn, states under oath as follows:

1. 9949 1st Street NW, Dunn Center, ND 58626.
2. I have received documents from Dakota Access, LLC and offers for an easement over my land for the Dakota Access Pipeline Project, and have also received repeated requests for survey permission on my property.
3. My property will be crossed by the Dakota Access Pipeline Project, and I am concerned about impacts to my land. I have not yet been able to reach an agreement with Dakota Access regarding an easement on my property, and feel it is necessary to protect my interests by ensuring that they are represented in these proceedings.

