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To: [Hamre, John G.](#)
Subject: Filing Accepted for Case: 08-2018-CV-02937; Environmental Law and Policy Center, et al. vs. North Dakota Public Service Commission, et al.; Envelope Number: 3293150
Date: Friday, February 01, 2019 8:23:35 AM

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Filing Accepted

Envelope Number: 3293150
 Case Number: 08-2018-CV-02937
 Case Style: Environmental Law and Policy Center, et al. vs. North Dakota Public Service Commission, et al.



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Filing Details	
Court	Burleigh County - South Central District
Case Number	08-2018-CV-02937
Case Style	Environmental Law and Policy Center, et al. vs. North Dakota Public Service Commission, et al.
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Filing Description	CR Exhibit 1 Supporting Exhibit G
Activity Requested	EFileAndServe
Filed By	John Hamre
Filing Attorney	Illona Jeffcoat-Sacco

Document Details	
Lead Document	CR Exhibit 1 Supporting Exhibit G.pdf
Lead Document Page Count	3
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EXHIBIT G:

**July 20, 2016 letter from Meridian
attorney to PSC**



July 20, 2016

VIA EMAIL

Mr. Patrick Fahn
ND Public Service Commission
600 E. Boulevard, Dept. 408
Bismarck, ND 58505

**RE: Meridian Energy Group, Inc. – Billings
County Refinery**

Dear Mr. Fahn:

This firm represents Meridian Energy Group, Inc. (“Meridian”) with respect to its plans to construct an oil refinery in Billings County, North Dakota. In that regard, we have been advising Meridian with respect to the various permits which are required from state and local governmental entities prior to construction of refinery.

As you know, North Dakota’s Energy Commission and Transmission Facility Siting Act, codified as Chapter 49-22 of the North Dakota Century Code, grants the Public Service Commission (“PSC”) the authority to regulate the siting of energy conversion and transmission facilities to be located and constructed in the state. With regard to refineries, the PSC has jurisdiction over the siting of “energy conversion facilities” that are designed for or are capable of “refining fifty thousand [50,000] barrels or more of liquid hydrocarbon products per day.” NPCC § 49-22-03(5).

In your recent telephone conversation with representatives of Meridian, we are advised that you have questioned whether the plans of Meridian are for a facility that will be capable of refining 50,000 barrels or more of oil and if Meridian intends to make application to the PSC for siting the facility under Chapter 49-22. Please be advised that at this time Meridian is designing its refinery to be capable of refining twenty seven thousand five hundred (27,500) barrels per day. Further, at this time, there is no design in existence nor plans to propose a design for more than 27,500 barrels. This is not to suggest that in the future an addition to the facility will never

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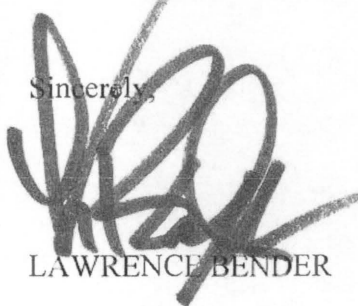
Fredrikson & Byron, P.A.
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be considered. Neither is this to suggest that Meridian has not had conversations and discussions with others, both private and public, that sometime in the future Meridian may propose an addition to the proposed refinery that will result in a facility greater than 50,000 barrels per day. Nonetheless, at the present time the facility is being designed and contemplated to be constructed at a capacity of 27,500 barrels of oil per day. As such, Meridian is not required to, nor does it have any intention of, making an application for a certificate of site compatibility for the proposed refinery.

Should you have any further questions with regard to Meridian proposed refinery, please advise.

Sincerely,



LAWRENCE BENDER

LB/sr

cc: Tom Williams (via email)
Darrell Nitschke (via email)

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