

NORTH DAKOTA PUBLIC SERVICE COMMISSION

In the Matter of

Dakota Access, LLC Consolidated Application
for an Amended Certificate of Corridor
Compatibility and Amended Route Permit;
Dakota Access Pipeline Pump Station -
Emmons County Siting Application

Case. No. PU-19-204
OAH File. No. 20190280

**INTERVENOR STANDING ROCK
SIOUX TRIBE'S
MOTION FOR LEAVE TO FILE
INFORMATIONAL BRIEF**

Pursuant to N.D.A.C. § 69-02-02-08, Intervenor Standing Rock Sioux Tribe (the “Tribe”) hereby requests leave to file the informational brief attached as Exhibit A hereto regarding the North Dakota Public Service Commission’s (“Commission”) authority to request documents from transmission-line applicants in adjudicative proceedings such as the above-captioned matter.

Dated this 6th day of February, 2020.

ROBINS KAPLAN LLP

By:  _____

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Exhibit A

NORTH DAKOTA PUBLIC SERVICE COMMISSION

In the Matter of

Dakota Access, LLC Consolidated Application
for an Amended Certificate of Corridor
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Case. No. PU-19-204
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**INTERVENOR STANDING ROCK
SIOUX TRIBE'S
INFORMATIONAL BRIEF
REGARDING THE COMMISSION'S
AUTHORITY TO REQUEST
DOCUMENTS FROM
TRANSMISSION LINE
APPLICANTS**

At the January 23, 2020 work session conducted in the above-captioned proceeding, Commission Chairman Kroshus asked an overarching question regarding the Commission's authority to require Dakota Access, LLC ("Dakota Access" or "Applicant") to produce the transient surge analysis, hydraulic profiles, and other documents that Intervenor Standing Rock Sioux Tribe (the "Tribe") contends are necessary and relevant to determining whether the DAPL Capacity Expansion will produce "minimal adverse effects" on the environment and welfare of the citizens of North Dakota. The Commission was advised that requiring Dakota Access to produce such documents could invite legal challenge, or otherwise represent a legally problematic deviation beyond the Commission's regulatory "lane."

The Tribe respectfully submits that, under North Dakota law, there is no question that the Commission has the authority to require Dakota Access to produce the requested materials. In fact, there are multiple independent statutory bases authorizing the Commission to do so. Further, based on its Application and hearing testimony, Dakota Access itself recognizes that the

Commission possesses such authority. The Commission is the sole agency at either the state or federal level responsible for ensuring that any pipeline operating in North Dakota produces minimal adverse effects on the environment and the welfare of the citizens of the state. For the reasons set forth in the Tribe’s Post-Hearing Brief (Dkt. 90), the Commission—like its counterparts in the State of Illinois and the State of Iowa—should exercise its authority and require Dakota Access to produce the requested materials so that it may fulfill its statutory obligations.

A. The Commission has broad authority to collect any information from Dakota Access that is relevant to its “minimal adverse effects” analysis

The Commission has a statutory duty under the North Dakota Century Code “to ensure [that] the location, construction, and operation of energy conversion facilities and transmission facilities will produce minimal adverse effects on the environment and the welfare of the citizens of this state . . .” N.D.C.C. § 49-22.1-02. Accordingly, an entity seeking to construct and operate an energy conversion facility or transmission facility in North Dakota must apply for and obtain a certificate of corridor compatibility and route permit from the Commission. N.D.C.C. § 49-22.1-06, -07, and -09 explain what that application must contain. These sections clearly establish that the Commission’s regulatory purview encompasses the operational safety and environmental impacts of any proposed pipeline. For example, all applicants are required to submit and the Commission is required to consider:

- “A description of mitigative measures that will be taken to minimize all foreseen adverse impacts resulting from the location, construction, and operation of the proposed facility.” (§ 49-22.1-06(g));
- “Available research and investigations relating to the effects of the location, construction, and operation of the proposed facility on public health and welfare, natural resources, and the environment” (§ 49-22.1-09(1));

- “Adverse direct and indirect environmental effects that cannot be avoided should the proposed site or route be designated” (§ 49-22.1-09(4)); and
- “Problems raised by federal agencies, other state agencies, and local entities” (§ 49-22.1-09(11)).

Further, in addition to these enumerated categories of information and considerations, Applicants are also required submit “[a]ny other information as the applicant considers relevant *or the commission may require.*” N.D.C.C. § 49-22.1-07(1)(g) (emphasis added). Accordingly, the Commission is clearly entitled to the requested materials, and the North Dakota Century Code expressly contemplates that the Commission’s permitting process will consider relevant “problems” that may simultaneously fall within the remit of other federal, state, and local agencies or entities.

Based on its Application and testimony, it would appear Dakota Access intends to cooperate with any such information request from the Commission. Dakota Access’s Application expressly states that it was submitted to the Commission “in accordance” with North Dakota Century Code 49- 22.1-06 and 49-22.1-07. Since those sections require applicants to include in their application “any other information . . . the commission may require,” Dakota Access presumably recognizes that the Commission may require Dakota Access to supplement its Application with additional information, and Dakota Access is presumably committed to acting “in accordance” such a request. That would be consistent with the testimony provided by Dakota Access’s witnesses at the November 13, 2019 hearing, where they testified they were “sure” they could “come to a satisfactory agreement” with the Commission in the event “the Commission makes a request of DAPL for any document.” Dkt. 58, Testimony of Charles Frey at 1:32:49-1:33:04.

Alternatively, the Commission could simply subpoena Dakota Access for the requested materials. “In any adjudicative proceeding, upon the request or motion of any party to the proceeding *or upon the hearing officer’s own motion on behalf of the agency*, a hearing officer may issue subpoenas, discovery orders, and protective orders in accordance with the North Dakota Rules of Civil Procedure.” N.D.C.C. § 28-32-33(2). The instant proceeding clearly qualifies as an “adjudicative proceeding,” since it is an “administrative matter[] involving . . . a hearing on an application seeking a right, privilege, or an authorization from an agency, such as a ratemaking or licensing hearing.” N.D.C.C. § 28-32-01(1). Accordingly, the Commission may serve a subpoena via the Administrative Law Judge appointed to serve as a hearing officer in this proceeding for the requested materials in the event Dakota Access refuses to produce them voluntarily.

If the Commission declines to seek the requested materials via voluntary information request or subpoena, the N.D.C.C. and N.D.A.C. permit the Tribe itself to seek authorization to subpoena the materials. As noted above, N.D.C.C. § 28-32-33(2) provides that, “upon the request or motion of any party to the proceeding . . . a hearing officer may issue subpoenas, discovery orders, and protective orders in accordance with the North Dakota Rules of Civil Procedure.” N.D.C.C. § 28-32-33(2); *see also* N.D.A.C. § 69-02-05-03(01)-(02) (“Subpoenas for the attendance of witnesses or for the production of documentary evidence, unless directed by the commission upon its own motion, will issue only upon written application”; “A party must show the general relevance and reasonable scope of the evidence sought before a subpoena will issue for the production of documentary evidence. Subpoenas for the production of documentary evidence must be authorized in writing.”)

The Tribe respectfully submits that a motion to issue subpoenas should be granted as relevant and timely given the course of this proceeding:

- On November 1, 2019 the Tribe submitted the pre-filed testimony of Mr. Kuprewicz (Dkt. 42), Mr. Holmstrom (Dkt. 41), and Mr. Eagle (Dkt. 40) explaining, *inter alia*, why the requested materials were necessary and relevant to the “minimal adverse effects” analysis codified in N.D.C.C. § 49-22.1-02.
- On November 8, 2019 Dakota Access filed a motion to strike the Tribe’s pre-filed testimony, arguing that “none of the testimony is relevant” to the proceeding. Dakota Access’s motion to strike was summarily denied by the Commission at the outset of the November 13, 2019 hearing. The Hearing Officer expressly concluded that the Tribe’s testimony was relevant to the proceeding, as the Tribe argued in its opposition to Dakota Access’s motion to strike. (Dkt. 53).
- The November 13, 2019 hearing provided fulsome testimony establishing that the requested materials are necessary and relevant to the Commission’s “minimal adverse effects” analysis. (Dkt. 58). The Tribe offered further argument as to the need to review the requested materials in its post-hearing brief filed on December 30, 2019. (Dkt. 90).
- On January 23, 2020, the Commission held a work session where it indicated that it would decline to seek the requested materials, on the grounds – mistaken, in the Tribe’s view – that it may lack the authority to do so.

While the Tribe believes that it behooves the Commission to secure the production of the requested materials, the Tribe will avail itself of its subpoena rights under N.D.C.C. § 28-32-33(2) and N.D.A.C. § 69-02-05-03 if necessary.

B. Public utility commissions in Iowa and Illinois have issued similar requests for additional information

Declining to request additional information from Dakota Access related to the DAPL Capacity Expansion to ensure that it is sufficiently safe would make the Commission a regulatory outlier. Both the Iowa Utilities Board and Illinois Commerce Commission have ordered Dakota Access to produce substantial amounts of additional information as those agencies work to evaluate the safety and legality of the DAPL Capacity Expansion. On January

13, 2020, for example, the Iowa Utilities Board ordered Dakota Access to produce extensive technical information regarding the DAPL Capacity Expansion that Dakota Access failed to include in its original petition to the Board. *See* Ex. B at 6-7. Similarly, on January 24, 2020 the Illinois Commerce Commission ordered Dakota Access to produce an extensive array of documents and information needed to validate Dakota Access's representation that the DAPL Capacity Expansion is necessitated by increased demand for crude oil transport – including all Transportation Services Agreements Dakota Access entered into with shippers prior to 2018 and the names of shippers participating in Dakota Access's current (2019) open season. *See* Ex. C.

The Iowa Utilities Board and Illinois Commerce Commission determined that they could not fulfill their regulatory mandates without additional document and data productions from Dakota Access. The Tribe respectfully submits that the Commission cannot fulfill its regulatory mandate – to ensure that the DAPL Capacity Expansion will produce minimal adverse effects on the environment and welfare of the citizens of North Dakota – unless the Commission orders Dakota Access to produce the additional documents and data identified by the Tribe in its post-hearing brief:

1. The transient surge analysis and recommended mitigation measures that Dakota Access commissioned for the DAPL Capacity Expansion and which was produced to the Illinois Commerce Commission in October 2019.
2. Hydraulic profiles of the 30-inch pipeline system within North Dakota for the 570,000 bpd base case and the 1.1 million bpd expansion case, sufficient to show how the DAPL Capacity Expansion will increase operating pressures throughout the system.
3. An identification of all HCAs by milepost within North Dakota and Dakota Access's plans for periodically reassessing the integrity of its pipeline in areas where an inadvertent release would impact those HCAs.
4. Dakota Access's analysis of estimated oil release volumes and locations based on and as informed by its transient flow modeling and the pipeline's hydraulic profile.


5. An up-to date and DAPL-specific Integrity Management Plan (IMP) that complies with PHMSA regulations and industry standards.
6. Proof that, post-expansion, Dakota Access will adhere to all applicable API best practices, including RP 1173 (Pipeline Safety Management Systems), RP 1175 (Leak Detection Program Management), RP 1160 (Managing System Integrity for Hazardous Liquid Pipelines), and RP 1130 (Computational Pipeline Monitoring for Liquids).
7. An updated WCD for the DAPL Capacity Expansion that properly incorporates all factors required by PHMSA regulations.
8. A revised spill model based on the updated WCD and corresponding changes to the DAPL Facility Response Plan and Lake Oahe Geographic Response Plan.

The need to review these materials has taken on new urgency in light of the [Proposed] Findings of Fact, Conclusions of Law, and Order that Dakota Access recently filed with the Commission. Dkt. 97. Whereas the Findings of Fact, Conclusions of Law, and Order issued by the Commission in connection with Dakota Access's original 2016 application expressly found that Dakota Access committed to comply with all USDOT regulations governing the transportation of crude oil – including 49 C.F.R. 195, which governs surge overpressure mitigation – the [Proposed] Findings of Fact, Conclusions of Law, and Order filed by Dakota Access in the instant proceeding fails to include such commitments. *See* Case No. PU-14-842, Findings of Fact, Conclusions of Law and Order (Jan. 20, 2016), Dkt. 134 at 5.

Under North Dakota law, the Commission clearly has the authority to request these materials from Dakota Access. In the interests of the environment and the welfare of the citizens of North Dakota, the Tribe respectfully asks the Commission to exercise that authority.

Dated this 6th day of February, 2020.

ROBINS KAPLAN LLP

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Exhibit B

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: DAKOTA ACCESS, LLC	DOCKET NO. HLP-2014-0001
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**ORDER ADDRESSING PETITION FOR AMENDMENT AND REQUIRING
RESPONSE**

(Issued January 13, 2020)

PROCEDURAL BACKGROUND

On November 27, 2019, Dakota Access LLC (Dakota Access) filed a petition for an amendment of Hazardous Liquid Pipeline Permit No. N0042 allowing Dakota Access to increase the amount of oil to be transported through the pipeline to 1.1 million barrels per day. Dakota Access filed updated petition Exhibits C and F as part of the petition and filed a request for waiver of the requirements in 199 Iowa Administrative Code (IAC) 13.9 for a hearing and notice.

As of January 10, 2020, objections and comments regarding the petition for amendment of Permit No. N0042 have been filed by the following persons: Judith Hainaut, Kathleen Murtey, Del Holland, Angela Forret, Susan Franzen, Patrick Bosold, Barbara Norblom, The Sierra Club of Iowa Chapter (Sierra Club), A. Joseph Wyse, Richard J. Stuckey, Bill Deitrich filing as Friends End Flower, David Lowman, Bold Iowa, Kristin Frish, Angela Tedesco, Marith Reheis, Nicholas David, Ed Fallon, Matthew Peirce, Lori O'Dell McCollum, Environment Matters, Frack Free Illinois,

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Judith Cooper, Richard and Judith Lamb, Barbara Anderson, Lori O'Dell McCollum, John Freeberg, Mark Edwards and Jason Snell. The Office of Consumer Advocate (OCA), a division of the Iowa Department of Justice, filed an objection to the waiver request.

On December 24, 2019, the Northwest Iowa Landowners Association (NILA) filed an objection to the request for waivers.

On January 10, 2020, the Story County Board of Supervisors filed a resolution and request for hearing in regard to Dakota Access' proposed operating capacity of the pipeline.

PETITION FOR AMENDMENT

In the petition, Dakota Access states that the improvements at the Cambridge pumping station do not affect the legal description of the route in Exhibit A attached to the permit. Dakota Access states that the improvements do not change the maps in Exhibit B or have any effect on the route approved by the Board. Dakota Access states that it has filed an updated Exhibit C to explain the purpose of the proposed improvements to the Cambridge pumping station. Dakota Access points out that it is in compliance with the requirements for Exhibits D, E, and G. Dakota Access states that it will advise the Board before commencing construction at the Cambridge pumping station. In addition, Dakota Access states that the improvements proposed at the Cambridge pumping station will not affect any landowner's real property rights. The improvements are to take place on property owned by Dakota Access,

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construction of the improvements will not affect the statement as to how damage claims will be determined, and the improvements do not alter or have any effect on the Agricultural Impact Mitigation Plan approved by the Board.

REQUEST FOR WAIVER OF 199 IAC 13.9(2)

Dakota Access requests that the Board waive requirements for a hearing and any applicable notice requirements that are required in 199 IAC 13.9(2). Dakota Access states that the activities that are the subject of the amendment are narrow and limited and do not involve any change in the product being transported, do not require any new interests in land, and do not involve any work on the existing mainline pipeline. Accordingly, requiring a hearing would pose an undue hardship since none of the information in the original petition approved by the Board will be changed. Dakota Access states that the waiver of the hearing requirement will not prejudice the substantial legal rights of any person since the improvements do not affect the route or location of the pipeline. Dakota Access states that the hearing is not specifically mandated by statute, and the health and welfare requirements approved by the Board for the permit will remain in place. Finally, Dakota Access states that safety of the Dakota Access hazardous liquid pipeline is regulated by the federal government through the Pipeline and Hazardous Materials Safety Administration (PHMSA) and the improvements will be subject to PHMSA safety regulations.

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OBJECTIONS TO WAIVER REQUEST

A. OCA

OCA states that the Board has the authority to grant a waiver if, among other things the Board finds by clear and convincing evidence that the waiver would not prejudice the substantial legal rights of any person. OCA states that, at a minimum, some type of notice needs to be provided to interested persons so the Board will have the information necessary to meet the clear and convincing standard in 199 IAC 1.3 before it makes a determination regarding the waiver request.

B. Sierra Club

Sierra Club addresses the four factors in 199 IAC 1.3 that are required to be satisfied by clear and convincing evidence. The first factor requires that denial of the waiver would pose an undue hardship for Dakota Access. Sierra Club states that for a hardship to meet the undue hardship requirement the hardship needs to be unreasonable or unjustified. Sierra Club does not agree with Dakota Access that no information from the original permit has changed citing to the doubling of the volume of oil to flow through the pipeline. Sierra Club states that Dakota Access' claim of a delay in fulfilling the shipper contracts is not an undue hardship. Sierra Club argues that the shippers may be affiliates of Dakota Access and so any hardship is self-generated and that the oil will very likely be exported so there is no hardship to United States citizens. Sierra Club argues a hearing would allow these issues to be addressed.

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Sierra Club points out that Dakota Access has not provided expert explanation regarding the drag-reducing additive Dakota Access intends to use in increasing the flow of oil. Sierra Club states that the Board asked for expert explanations for the effect the additive would have on the longevity of the pipeline and whether the increased flow would increase the amount of oil released if a spill occurs. Sierra Club states that Dakota Access does not provide that information.

Sierra Club states that a waiver would substantially prejudice the legal rights of persons who have standing to litigate the impacts of the increased volume, the second of the criteria to be satisfied in 199 IAC 1.3. Sierra Club states that although a hearing is not specifically mandated by statute, requiring a hearing follows the legislative intent of giving the Board jurisdiction over hazardous liquid pipelines. Finally, Sierra Club argues that increasing the volume of oil that will flow through the pipeline will substantially affect health, safety and welfare.

Sierra Club argues that Dakota Access has not met its burden of showing by clear and convincing evidence that it is entitled to the waiver.

C. NILA

NILA objects to the request of Dakota Access for waiver of the hearing and other procedures. NILA states that it supports OCA's objection and position that the Board should require Dakota Access to give notice to all interested parties, specifically all landowners in existence in January 2014, and all current landowners where the pipeline is located. NILA also suggests that the Board require Dakota

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Access to provide certification of all changes in ownership of affected properties since January 2014. NILA filed a brief in support of its objection.

PETITION DEFICIENCIES

As part of the procedure for considering a petition for an amendment of a hazardous liquid pipeline permit, the petition is reviewed by the engineers in the Board's Safety and Engineering Section. The engineers reviewed the petition and supporting information and have identified deficiencies in the petition and supporting exhibits. The Board will direct that Dakota Access provide responses to the following requests for additional information:

1. In the September 6, 2019 order, Dakota Access was directed to file information as part of Exhibit F to address several issues. Two of those items were as follows:
 - a. Provide expert explanation of the effect adding the additive to the oil will have on the longevity of the pipeline components and whether the additive will increase the risk of a spill or other incident on the pipeline; and
 - b. Provide expert explanation of whether the increased flow will increase the amount of oil that will be released if a spill occurs.
2. In accordance with 199 IAC 13.2(1)(k), the Board may require filing of additional exhibits if further information on particular parts of the project is deemed necessary. Dakota Access shall file a petition Exhibit K that contains its responses to the following questions:
 - a. In its petition Exhibit C, Dakota Access states that the proposed improvements will increase the pipeline's average daily capacity up to 1.1 million barrels/day. Provide a statement on whether this will be the maximum daily capacity this pipeline can transport without any change to its maximum allowable operating pressure (MAOP). If this is not the maximum daily capacity of this pipeline, indicate what the maximum daily capacity of the pipeline will be without any change to the MAOP.

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- b. Indicate the current maximum actual operating pressure of the pipeline and the proposed maximum actual operating pressure of the pipeline after the completion of the improvements.
- c. List any permits or approval requirements from any local, state, federal, government agency (not limited to Iowa) for these improvements to the Dakota Access pipeline system and the status of each permit or approval.
- d. Provide a statement indicating whether all damage claims that resulted from the construction of the pipeline have been resolved pursuant to Iowa Code § 479B.17. If there are outstanding damage claims, provide the status of these claims.
- e. Indicate whether DAPL plans to patrol or inspect the pipeline right-of-way shortly after the increase of the transport capacity of the pipeline begins. If not, explain why no inspection is planned.
- f. Provide a statement indicating the start and end dates of each pipeline inspection conducted by PHMSA after the construction of the pipeline was completed. Provide a description of any probable violations to the federal safety code that were issued to Dakota Access by PHMSA as a result of these inspections.
- g. Describe any reportable incident, spill, or unintentional release of product that occurred after the pipeline become operational.

DISCUSSION OF OCA OBJECTION

As part of OCA's objection to the petition for amendment, OCA states that the Board should require some type of notice so interested persons can provide responses. The Board is unsure what additional notice is required since the Board has received a number of responses to the petition and the filing of the petition was sent to all parties on the Board's service list in Docket No. HLP-2014-0001.

The Board will address the other comments and objections once it has received a response from Dakota Access to the information requested above.

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ORDERING CLAUSES

IT IS THEREFORE ORDERED:

1. Dakota Access LLC shall file a response to the deficiencies described in this order within 30 days of the date this order is issued.

2. The Office of Consumer Advocate, a division of the Iowa Department of Justice, shall file a response indicating what additional notice of the Dakota Access LLC petition for amendment of permit it believes is required within 15 days of the date of this order.

UTILITIES BOARD

/s/ Geri D. Huser _____

/s/ Nick Wagner _____

ATTEST:

/s/ Kelsie Vanderflute _____

Dated at Des Moines, Iowa, this 13th day of January, 2020.

Exhibit C



ILLINOIS COMMERCE COMMISSION

January 24, 2020

Dakota Access, LLC
and
Energy Transfer Crude Oil Company, LLC

19-0673

Joint Petition for an Order under Section 8-503 of the Public Utilities Act for authority to install additional pumping stations and pumping facilities on existing certificated pipelines in the State of Illinois.

SERVED ELECTRONICALLY

NOTICE OF ADMINISTRATIVE LAW JUDGE'S RULING

TO ALL PARTIES OF INTEREST:

Notice is hereby given by the Administrative Law Judge that in accordance with the Commission's January 21, 2020 ruling on the Petition for Interlocutory Review, and pursuant to the direction given to the Administrative Law Judge to supervise the discovery process, the Administrative Law Judge directs the Petitioners to produce as discovery responses, pursuant to the Protective Ruling in this case, the following documents and information: (1) Transportation Services Agreements entered into by shippers for contracted capacity on Petitioners' pipelines, prior to the 2018 Open Season, (2) the names of shippers that have entered into non-disclosure agreements to participate in Petitioners' current (2019) Open Season; and (3) names of owners and operators of Illinois and Gulf Coast refineries entering into nondisclosure agreements to participate in Petitioners' 2018 Open Season.

Sincerely,

A handwritten signature in cursive script that reads "Elizabeth A. Rolando".

Elizabeth A. Rolando
Chief Clerk

EAR:ikb
Administrative Law Judge Dolan
(312)814-6652

In compliance with the Americans with Disabilities Act and other applicable federal and state laws, the hearing will be accessible to individuals with disabilities. Persons requiring auxiliary aids and services should contact the Chief Clerk, preferably no later than five days before the hearing.

The Chief Clerk may be contacted either by letter at 527 E. Capitol Ave., Springfield, IL 62701, or by telephone at 217-782-7434. In addition, persons using a text telephone have the option of calling via the Illinois Relay Center by dialing 800-526-0844.

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Docket Number – 19-0673

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**BEFORE THE NORTH DAKOTA PUBLIC SERVICE COMMISSION
OF THE STATE OF NORTH DAKOTA**

<p><i>In the Matter of</i></p> <p>Dakota Access, LLC Consolidated Application for an Amended Certificate of Corridor Compatibility and Amended Route Permit; Dakota Access Pipeline Pump Station - Emmons County Siting Application</p>	<p>Case No. PU-19-204 OAH File No. 20190280</p> <p style="text-align: center;">Certificate of Service</p>
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Certificate of Service

I, the undersigned, hereby certify that true and correct copies of:

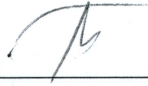
1. Intervenor Standing Rock Sioux Tribe’s Motion for Leave to File Informational Brief
 - a. Exhibit A: Intervenor Standing Rock Sioux Tribe’s Informational Brief Regarding the Commission’s Authority to Request Documents from Transmission Line Applicants
 - b. Exhibit B: Iowa Department of Commerce Utilities Board Order Addressing Petition for Amendment and Requiring Response
 - c. Exhibit C: Illinois Commerce Commission Notice of Administrative Law Judge’s Ruling
 - d. This Certificate of Service

by Intervenor Standing Rock Sioux Tribe and cover letter filed by hand-delivery with the Office of Administrative Hearings, Attn: Timothy Dawson, the Administrative Law Judge, were, on February 6, 2020, served on the following:

<p><i>By US mail, postage paid</i></p> <p>Lawrence Bender Fredrikson & Byron, P.A. 1133 College Drive, Suite 1000 Bismarck, ND 58501</p>	<p><i>By US mail, postage paid</i></p> <p>Zachary Pelham Special Assistant Attorney General c/o Pearce Durick PLLC 314 East Thayer Avenue Bismarck, ND 58501</p>	<p><i>Seven copies by hand-delivery</i></p> <p>Public Service Commission State of North Dakota Executive Secretary 600 East Boulevard Ave, Dept. 408 Bismarck, ND 58505</p>
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Dated this 6th day of February, 2020.

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