



Public Service Commission

State of North Dakota

COMMISSIONERS

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20 May 2021

Timothy Dawson, Director
Office of Administrative Hearings
2911 North 14th Street – Suite 303
Bismarck, ND 58503

Re: Dakota Gasification Company
Carbon Dioxide Gas Pipeline - Mercer County
Siting Application

Case No. PU-21-150

Dear Mr. Dawson:

Enclosed is a request for an Administrative Law Judge for the captioned case. The case is in its early stages and a Notice of Hearing has not yet been issued. When a Notice is issued we will forward it to your office.

The Administrative Law Judge will serve as a procedural law judge. If you have any questions, please contact me. Thank you.

Best regards,

John Schuh
General Counsel

enclosures

c: w/encl. via email only: Casey Jacobson (cjacobson@bepc.com)
Kevin Solie (ksolie@bepc.com)



REQUEST FOR ADMINISTRATIVE LAW JUDGE--APPEAL, APPLICATION, OR PETITION
 NORTH DAKOTA OFFICE OF ADMINISTRATIVE HEARINGS
 SFN 17819 (Rev. 06-2007)

Name of Agency, Board, or Commission
 North Dakota Public Service Commission

The above named agency, board, or commission requests designation of an administrative law judge from the Office of Administrative Hearings for the Dakota Gasification Company, Carbon Dioxide Gas Pipeline, Mercer County, Siting
Application, PSC Case No. PU-21-150

(e.g., application of [name], appeal of [name], petition of [name]). Authority for the administrative action is found in North Dakota Century Code Chapter 49-22.1 (North Dakota Century Code and/or North Dakota Administrative Code).

Please attach related documents and correspondence.

The administrative action is more fully described as follows:
 On April 23, 2021, Dakota Gasification Company filed an Application for Certificate of Corridor Compatibility and Route Permit, proposing to construct an approx. 6.8-mile-long CO2 gas pipeline in Mercer County, North Dakota.

It requests designation of an administrative law judge (please check one):

To conduct the hearing and issue recommended findings of fact, conclusions of law, and order.

To serve as a procedural administrative law judge only (no recommended decision). The agency head will be present at the hearing as required by NDCC 28-32-31(5). See NDCC 54-57-04.

To conduct the hearing, issue findings of fact, conclusions of law, and a final order.


PLEASE MAKE A REQUEST FOR AN ADMINISTRATIVE LAW JUDGE AT LEAST ONE MONTH BEFORE THE HEARING.

Please list parties, including the agency if it is a Party, and Representation [attorney (or other)] if known, or Agency Contact: (Attach separate list if necessary.)

AGENCY See attached	Address	Telephone Number
Representation	Address	Telephone Number
PARTY	Address	Telephone Number
Representation	Address	Telephone Number
PARTY	Address	Telephone Number
Representation	Address	Telephone Number

Additional Comments
 The case is in its early stages and a Notice of Hearing has not yet been issued. When a Notice is issued we will forward that Notice to your office.

(For agencies required to use OAH, notice of hearing will be issued by the administrative law judge, unless a procedural administrative law judge is requested. Other requesting agencies and agencies requesting a procedural administrative law judge should first contact OAH about scheduling a hearing. If notice has already been issued, attach a copy of the notice.)

Typed or Printed Name and Title of Requesting Person John Schuh, General Counsel	Date 5/20/2021
Signature of Requesting Person 	Telephone Number (701) 328-2421

X

Attachment
Request for ALJ
20 May 2021

Re: Dakota Gasification Company
Carbon Dioxide Gas Pipeline - Mercer County
Siting Application

Case No. PU-21-150

AGENCY	Address	Telephone Number
North Dakota Public Service Commission	600 E. Blvd. Ave. Dept. 408 Bismarck, ND 58505-0480	701-328-2400
Representation Brian Johnson Legal Counsel	Address Same as above	Telephone Number 701-328-2407
PARTY Dakota Gasification Company	Address 1717 East Interstate Avenue Bismarck, ND 58503-0542	Telephone Number 701-223-0441
Representation Ms. Casey Jacobson Senior Staff Counsel	Address 1717 East Interstate Avenue Bismarck, ND 58503-0542	Telephone Number 701-557-5413