

January 25, 2023

Via Hand Delivery & Electronic Mail

Mr. Steve Kahl
Executive Director
North Dakota Public Service Commission
600 E. Boulevard, Dept. 408
Bismarck, ND 58505-0480
ndpsc@nd.gov

**In re: Caliber North Dakota LLC
(d/b/a Caliber Midstream North Dakota LLC)
Caliber Pipeline Project
McKenzie County
Case No. PU-21-441
Our File No. 019931-000001**

Dear Mr. Kahl:

Please find enclosed correspondence from McKenzie County dated January 23, 2023 pertaining to the status of approach permitting for Caliber's 2.62 mile, 8-inch natural gas pipeline ("the Project"). At the Project's April 6, 2022 public hearing, Caliber testified it was in the process of coordinating with McKenzie County regarding the status of an approach permit for the Project. The attached correspondence is provided as an update regarding the status of that permitting. In accordance with the enclosed correspondence, the County has informed Caliber that no permitting will be required for the existing approach.

Please feel free to contact me if you have any questions. Thank you.

Sincerely,



Casey A. Furey

CAF/lh
Enc.

cc: Brian Johnson (via email)
Adam Renfandt (via email)
Bill Kent (via email)

55 PU-21-441 Filed 01/25/2023 Pages: 3
Letter enclosing Agency Correspondence
Caliber North Dakota LLC
Casey Furey, Crowley Fleck, PLLP

Steve Jausi

From: Chris Buschta <chris@diamondnd.com>
Sent: Monday, January 23, 2023 8:34 AM
To: Steve Jausi
Cc: Travis Sauber
Subject: Haybutte site
Attachments: 4448_001.pdf; Approach for Caliber.kmz

Good morning Steve,

Travis followed up on the approach into the Haybutte facility we discussed last week. As you can see below, the county is considering that approach to be grandfathered in under the original permit. Nothing further needed here. If any of the field personnel is approached by the county regarding it, have them show this email chain to whomever they are talking with. Please let me know if you have any questions. Thanks!

From: Travis Sauber <tsauber@diamondnd.com>
Sent: Monday, January 23, 2023 9:23 AM
To: Chris Buschta <chris@diamondnd.com>
Subject: Fwd: Attached Image

Travis Sauber

Begin forwarded message:

From: Dawn Tschetter <dawnt@co.mckenzie.nd.us>
Date: January 23, 2023 at 9:14:39 AM CST
To: Travis Sauber <tsauber@diamondnd.com>
Cc: Cindy Glover <csmith@co.mckenzie.nd.us>
Subject: RE: Attached Image

Good morning Travis,

The approach permits attached do not show exactly what approaches were permitted back in 2011-2013 as we were just starting the permitting process. This permit was built in the same time period as the others between 9/2011-8/2013. I would not require a permit on this approach and would not consider it unauthorized.

This approach would be grandfathered in.

Please let me know if you have any other questions.

Dawn Tschetter

Dawn Tschetter

1300 12th Street SE, Ste. 240
Watford City, ND 58854
701-444-7179

From: Administrator <Administrator@co.mckenzie.nd.us>
Sent: Friday, January 20, 2023 12:47 PM
To: Dawn Tschetter <dawnt@co.mckenzie.nd.us>
Subject: Attached Image

CALIBER SECURITY WARNING: This is an external email. Stop and think before clicking on any **Hyperlinks** or **Attachments**.