STATE OF NORTH DAKOTA

PUBLIC SERVICE COMMISSION

SCS Carbon Transport LLC
Midwest Carbon Express CO2 Pipeline Project
Siting Application

Case No. PU-22-391

AFFIDAVIT OF SERVICE BY ELECTRONIC MAIL

STATE OF NORTH DAKOTA COUNTY OF BURLEIGH

Geralyn R. Schmaltz deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **27th day of October 2022**, she sent an electronic message to **two** addressees, each including an electronic copy in portable document format of:

Appearance of Bias in a Quasi-Judicial Proceeding Disclosure Form

The electronic mail was addressed as follows:

Lawrence Bender Attorney for SCS Carbon Transport LLC Fredrikson & Byron, P. A. <u>Ibender@fredlaw.com</u> Paul Richard Chairman North Dakota Ethics Commission pfrichard@nd.gov

Each address shown is the respective addressee's last reasonably ascertainable electronic mail address

Subscribed and sworn to before me this **27th day of October 2022.**

PAMELA J THOMPSON
Notary Public
State of North Dakota
My Commission Expires Oct 28, 2023

Notary Public

SEAL

8 PU-22-391 Filed 10/27/2022 Pages: 4
Affidavit of Service by Electronic Mail - Appearance of
Bias in a Quasi-Judicial Proceeding Disclosure Form
Public Service Commission



APPEARANCE OF BIAS IN A QUASI-JUDICIAL PROCEEDING DISCLOSURE FORM

Pursuant to N.D.A.C 115-05-01-03 and N.D.A.C. 115-05-01-06, disclosure of the potential appearance of bias in Quasi-Judicial proceeding is required. This allows directors, officers, commissioners, heads, or other executives of agencies to input information and attach relevant documentation.

The Neutral Reviewer or director, officer, commissioner, head, or other executive shall document the facts and decision regarding any disclosures. Upon completion, the Neutral Reviewer or director, officer, commissioner, head, or other executive shall provide a copy of the form to the North Dakota Ethics Commission.

Departments, agencies, boards, commissions or public entities shall document in the official minutes of a proceeding information, if applicable, that a director, officer, commissioner, head, or other executive has been recused from any further involvement in the matter.

Reporting Official's Name: Julie Fedorchak
Associated Entity/Organization: ND Public Service Commission
Title or Position of Reporting Official: Commissioner
Phone #: 701/328-3132
Email Address: jfedorchak@nd.gov
Detailed Description of Potential Appearance of Bias: Summit Carbon Solutions has filed for a route permit and corridor certificate for a CO2 transmission pipeline in North Dakota. Julie and Mike Fedorchak have a contract with Summit Carbon Solutions to store CO2 transported by this pipeline underground on land they own in Oliver county. Julie Fedorchak is recusing herself from the proceeding, docket number PU-22-391.

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Did the appearance of bias involve a party to the proceeding? N/A
Did the appearance of bias involve the issues of the proceeding? N/A
For campaign monetary or in-kind support – the size of the campaign monetary or in-kind support? N/A
For campaign monetary or in-kind support – the degree of involvement in the campaign? N/A
For campaign monetary or in-kind support – Did the campaign monetary or in-kind support include the
current or immediately preceding election cycle? N/A
Current of infinediately preceding election cycle: 14/A
Determination - Places provide information on the 1. Final determination 2. Process for determination
Determination – Please provide information on the 1. Final determination 2. Process for determination, 3. Determining individual or body:
3. Determining individual or body:
1. Julie Fedorchak has recused herself from the case, docket number PU-22-391.
1. Julie redotchak has recused hersen hom the case, docket humber ro-22-391.

Was a Neutral Reviewer used in the determination? No
If a Neutral Reviewer was used, what was the determination of the Neutral Reviewer? N/A
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