



KNOLL LEIBEL^{LLP}
ATTORNEYS AT LAW

March 20, 2023

VIA U.S. MAIL & E-MAIL: ndpsc@nd.gov

Steve Kahl
Executive Secretary
North Dakota Public Service Commission
State Capitol
600 E Boulevard Ave, Dept 408
Bismarck, ND 58505-0480

RE: In the Matter of the Application of SCS Carbon Transport LLC for
Certificate of Corridor Compatibility and Route Permit for the Midwest
Carbon Express
Case No.: PU-22-391

Dear Mr. Kahl:

Enclosed for filing please find the following original documents:

1. Petition to Intervene dated March 20, 2023;
2. Declaration of Service.

This Petition to Intervene is being filed with the North Dakota Public Service Commission (hereinafter "NDPSC") on behalf and at the request of Rose Dotzenrod (hereinafter "Rose") and her son, Benjamin Dotzenrod as manager of Soil Acre, LLC (hereinafter "Ben"), which leases property owned by Rose in Richland County, North Dakota. Rose owns land across which SCS Carbon Transport LLC ("hereinafter" SCS) intends to construct a carbon dioxide pipeline. Rose and Ben have a direct and substantial interest in these proceedings, as well as legal property rights which may be substantially affected by NDPSC's findings and conclusions. Rose and Ben seek to intervene in this matter for these reasons.

Please feel free to call me with any questions.

81 PU-22-391 Filed 03/20/2023 Pages: 7
Petition to Intervene
Rose and Benjamin Dotzenrod
Steven Leibel, Knoll Leibel, Attorneys

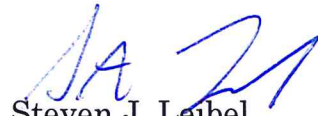
Steven J. Leibel, Partner

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Steve Kahl
March 20, 2023
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Sincerely, _____

KNOLL LEIBEL LLP



Steven J. Leibel

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SJL: rmo

Enclosures

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

IN THE MATTER OF THE APPLICATION
OF SCS CARBON TRANSPORT LLC FOR
A CERTIFICATE OF CORRIDOR
COMPATIBILITY AND ROUTE PERMIT
FOR THE MIDWEST CARBON EXPRESS
PROJECT IN BURLEIGH, CASS, DICKEY,
EMMONS, LOGAN, MCINTOSH,
MORTON, OLIVER, RICHLAND AND
SARGENT COUNTIES, NORTH DAKOTA

Case No. PU-22-391

PETITION TO INTERVENE

Pursuant to N.D.A.C. § 69-02-02-05, Rose Dotzenrod, Richland County, ND and her son, Benjamin Dotzenrod as manager of Soil Acre, LLC, which leases property owned by Rose Dotzenrod in Richland County, ND. (“Intervenors” or “Affected Landowners”, all collectively “Landowners”), by and through their lawyers David Knoll, Steve Leibel, and Brian Jorde, hereby petition to intervene in the above-captioned proceedings. In support of this petition, Landowners state and allege as follows:

1. The following “Affected Landowners” are owners and/or interest holders of North Dakota land that have either been approached by Summit or its agents in relation to obtaining survey and examination access to their property and/or in seeking a lease or other agreement for the potential location of a hazardous carbon dioxide pipeline. Upon information and belief Affected Landowners are persons or entities that would be negatively affected by Summit’s proposed hazardous carbon dioxide pipeline should it be approved by all necessary states and obtain the thousands of leases and/or easements necessary to locate such

approximate 2,000-mile hazardous pipeline and other related structures on their property, identified as follows:

- a. Rose Dotzenrod, Viking Township, NW1/4 of Section 26, T135N, R51W, Richland County, North Dakota.
2. Affected Landowners each own land across which Summit desires easements for a period of ninety-nine (99) years, which are in effect total takings, for potential locating, construction, maintenance, and operation of a dangerous and hazardous carbon dioxide pipeline.
3. Affected Landowners have a direct and substantial interest in these proceedings, as well as legal property rights which may be substantially affected by the ND Public Service Commission's findings and conclusions in this matter. Affected Landowners are intimately familiar with the land they own and rent and can provide the PSC with specific information related to its routing determination in this proceeding, with respect to their individual lands.
4. Affected Landowners are not adequately represented by existing parties, and their intervention would not unduly broaden the issues or delay the proceedings, particularly given the early nature of the proceedings.
5. Affected Landowners intend to present evidence opposing Summit's requested relief in its Application and all Landowners object and resist the current proposed location of Summit's proposed pipeline.

Dated this 20th day of March, 2023.



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David Knoll (ID 06167)
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Landowners'/Intervenors' Lawyers

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Landowners'/Intervenors' Lawyers

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

IN THE MATTER OF THE APPLICATION
OF SCS CARBON TRANSPORT LLC FOR
A CERTIFICATE OF CORRIDOR
COMPATIBILITY AND ROUTE PERMIT
FOR THE MIDWEST CARBON EXPRESS
PROJECT IN BURLEIGH, CASS, DICKEY,
EMMONS, LOGAN, MCINTOSH,
MORTON, OLIVER, RICHLAND AND
SARGENT COUNTIES, NORTH DAKOTA

Case No. PU-22-391

DECLARATION OF SERVICE

[1] Rosanne Ogden declares that I am of legal age and not a party to this action, and that I served the following document(s):

- 1. Petition to Intervene; and**
- 2. Declaration of Service.**

[2] On March 20, 2022, by sending a true and correct copy thereof by electronic means only to the following email addresses, to wit:

John Maurice Schuh Bar ID 08138
Special Assistant Attorney General
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600 E. Boulevard Ave, Dept. 408
Bismarck, ND 58505-0480
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Hope Lisa Hogan Bar ID 05982
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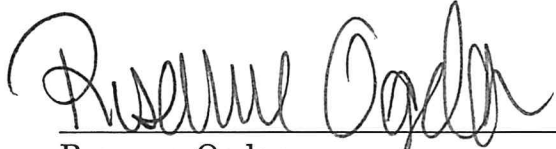
[3] and by sending the originals and seven (7) copies of said documents via U.S. Mail, at Bismarck, North Dakota with postage prepaid, to the following:

Steve Kahl
Executive Secretary
North Dakota Public Service Commission
State Capitol
600 E Boulevard Ave, Dept 408
Bismarck, ND 58505-0480

[4] The addresses of each party served are the last reasonably ascertainable e-mail address and post office address of such party.

[5] I declare, under penalty of perjury under the law of North Dakota, that the foregoing is true and correct.

Signed on the 20th day of March, 2023 at Bismarck, North Dakota.


Rosanne Ogden