

HEARING EXHIBIT 3

08-2024-CV-03622

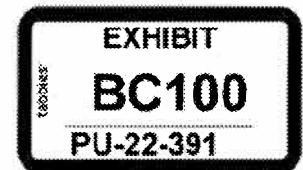
DOC. 371

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF NORTH DAKOTA

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

OAH FILE NO. 20230002



PETITION FOR RECONSIDERATION, NOTICE OF ROUTE ADJUSTMENT AND REQUEST FOR LIMITED REHEARING

SCS Carbon Transport LLC ("Summit"), by and through its undersigned counsel, hereby submits to the North Dakota Public Service Commission (the "Commission") this Petition for Reconsideration, Notice of Route Adjustment and Request for Limited Rehearing in response to the Findings of Fact, Conclusions of Law and Order entered in the above-referenced matter on August 4, 2023 (the "Order").

It is evident that certain concerns raised in the Order are related, directly or indirectly, to the proposed route of Summit's carbon dioxide pipeline project ("Project") in Burleigh County, North Dakota. As further detailed herein, Summit has identified an alternative route along the areas to the east and north of the city of Bismarck that avoids existing and planned housing developments. The proposed alternative route is located in an area where proximity to Bismarck's northern extraterritorial area boundary is approximately 5 miles at its nearest point. See Figure 1, below.

In addition to the concerns related to the proposed route of the Project as presented in the hearings, the Order identifies issues which pertain to information (i) the Commission deems

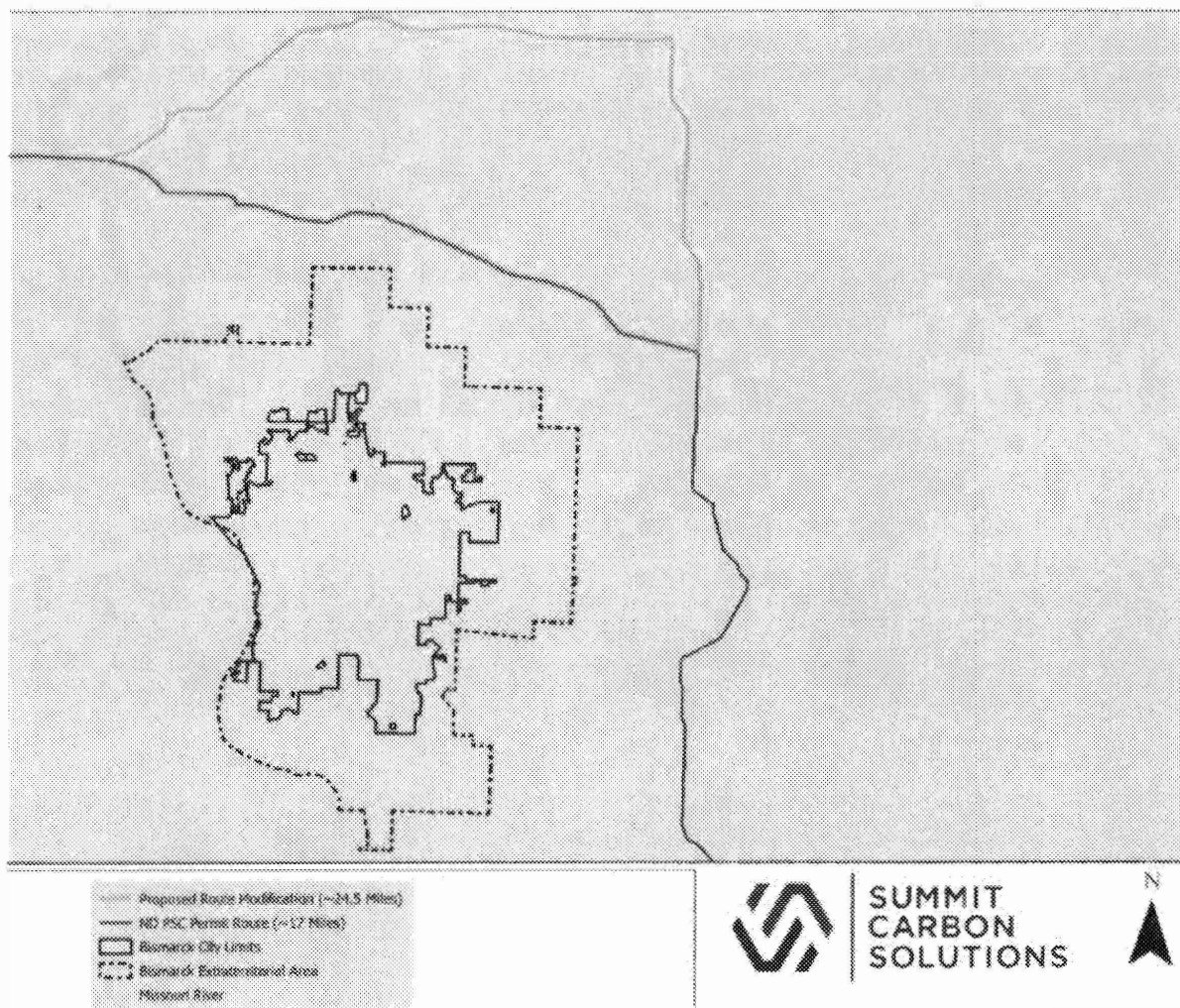


Figure 1.

The original route, at the nearest points, was located approximately 4.5 miles north of the city limits of Bismarck and approximately 2 miles north of Bismarck's extraterritorial area boundary. As depicted in **Figure 1**, the adjusted route, at the nearest points, is now located approximately 9 miles north of the city limits of Bismarck and approximately 5 miles north of Bismarck's extraterritorial area boundary. The adjusted route is not located in the vicinity of existing or known planned developments. Further, as discussed below, the corridor depicted on **Exhibit A** has been reduced from 300-feet-wide to 200-feet-wide, centered on the Project route. The map book attached as **Exhibit A** is