



March 31, 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 31, 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 James Tiegs (hereinafter "James"), who owns land in Dickey County, North Dakota. James owns land across which SCS Carbon Transport LLC ("hereinafter" SCS") intends to construct a carbon dioxide pipeline. James has 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. James seeks to intervene in this matter for these reasons.

Please feel free to call me with any questions.

Steven J. Leibel, Partner

PO Box 858 · 1915 N. Kavaney Drive, Suite 3 · Bismarck, ND 58502-0858
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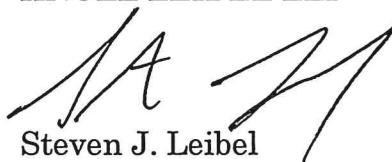
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Petition to Intervene
Knoll Leibel, LLP
Steven J. Leibel

Steve Kahl
March 31, 2023
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Sincerely,

KNOLL LEIBEL LLP

A handwritten signature in black ink, appearing to read 'SA' followed by a stylized flourish.

Steven J. Leibel

steve@bismarck-attorneys.com

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

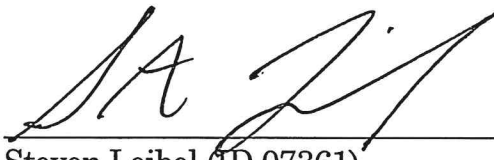
PETITION TO INTERVENE

Pursuant to N.D.A.C. § 69-02-02-05, James Tiegs, Dickey County, ND. (“Intervenor” or “Affected Landowner”, collectively “Landowner”), by and through his lawyers David Knoll, Steve Leibel, and Brian Jorde, hereby petition to intervene in the above-captioned proceedings. In support of this petition, Landowner states and alleges as follows:

1. The following “Affected Landowner” is an owner and/or interest holder of North Dakota land that has either been approached by Summit or its agents in relation to obtaining survey and examination access to his 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 Landowner is a person or entity 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 his property, identified as follows:

- a. James Tiegs, Township 129 North, Range 61 West, Section 17 and Township 129 North, Range 63 West, Section 27, Dickey County, North Dakota.
2. Affected Landowner owns 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 Landowner has 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 Landowner is 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 his individual lands.
4. Affected Landowner is not adequately represented by existing parties, and his intervention would not unduly broaden the issues or delay the proceedings, particularly given the early nature of the proceedings.
5. Affected Landowner intends to present evidence opposing Summit's requested relief in its Application and Landowner objects and resists the current proposed location of Summit's proposed pipeline.

Dated this 31st day of March, 2023.



Steven Leibel (ID 07361)
David Knoll (ID 06167)
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Landowner/Intervenor Lawyers

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Landowner/Intervenor 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 dated March 31, 2023;
2. Declaration of Service.

[2] On March 31, 2023, 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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Commission
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Bismarck, ND 58505-0480
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Fredrikson & Byron, P.A.
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Hope Lisa Hogan Bar ID 05982
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Zachary Evan Pelham Bar ID 05904
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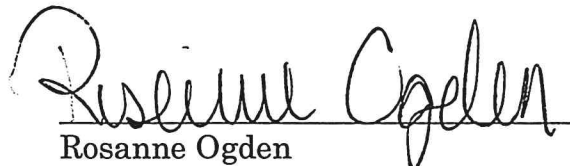
[3] and by sending the originals and seven (7) copies of said documents via U.S. Mail, at Bismarck, North Dakota with postage prepaid, to the following:

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 31st day of March, 2023 at Bismarck, North Dakota.


Rosanne Ogden