

NORTH
Dakota | Administrative Hearings
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May 17, 2023

John Schuh
General Counsel
Public Service Commission
600 East Boulevard Avenue – Dept. 408
Bismarck, ND 58505-0480

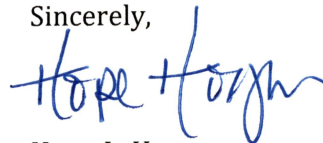
RE: SCS Carbon Transport LLC / PU-22-391
Midwest Carbon Express CO2 Pipeline Project Siting Application
OAH File No. 20230002

Dear Mr. Schuh:

At the May 11, 2023 hearing in Linton, Attorney Bakke, on behalf of Intervenor John H. Warford, Jr., indicated that he would be filing the written direct testimony of John Godfrey before the South Dakota Public Utilities Commission after the hearing. On May 15, 2023, Attorney Bakke filed Mr. Godfrey's testimony as exhibit W179. At the May 12, 2023 prehearing conference, the other parties indicated no objection to the exhibit and I admitted the exhibit into the record. Please find enclosed an updated exhibit list documenting the admission of exhibit W179.

Thank you.

Sincerely,



Hope L. Hogan
Administrative Law Judge

Enclosures

cc: Zachary Pelham, counsel for PSC
Lawrence Bender, counsel for SCS Carbon Transport, LLC
Randall Bakke, counsel for Intervenor John Warford
Steven Leibel, counsel for Intervenors
Brian Jorde, counsel for Intervenors
Kevin Pranis, LiUNA Minnesota & North Dakota

228 PU-22-391 Filed 05/17/2023 Pages: 7

Letter enclosing updated Exhibit list documenting the admission of Exhibit W179 - Direct Testimony of John Godfrey
Hope Hogan, ALJ - Office of Administrative Hearings

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EXHIBIT LIST							
Matter	SCS Carbon Transport LLC Siting Application			PSC Case No. PU-22-391 OAH File No. 20230002			
Hearing	March 14, 2023 March 28, 2023 April 11, 2023 May 9, 2023 June 2, 2023			SCS – SCS Carbon Transport LLC JW – John H. Warford, as Trustee (Intervenor) SPLJ – SPLJ, LLP, et. al. (Intervenor) BD – Benjamin Dotzenrod LiUNA – Laborers District Council of MN and ND RD – Rose Dotzenrod JT – James Tiegs LS – Loren Staroba KB – Kevin & Ann Bernhardt SL – Steve Laine LG – Linda Gayman			
No.	Description	Mkd	Idd	Ofd	W/D	Adm	Note
1	Application dated 10/17/22 (including appendixes 1-13)	X		SCS		X	
2	Certification Relating to Order Provisions Transmission Facility Siting, J. Powell (dated 03/13/23)	X		SCS		X	
3	SCS Right of Way progress chart	X		SCS		X	
4	SCS Right of Way progress chart 03/27/23	X		SCS		X	
5	Drain Tile FAQs	X		SCS		X	
W100	E. Schovanec letter to J. Warford dated 09/13/21	X		JW		X	
W101	J. Dimeo letter to J. Warford dated 04/02/22	X		JW		X	
W102	Application dated 10/17/22 (without appendixes)	X		JW		X	
W103	Application for Waiver/Reduction of Procedures dated 10/17/22	X		JW		X	
W104	Burleigh Cty Health Statement	X		JW		X	

W105	Notice of Filing and Public Hearings dated 02/01/23	X		JW		X	
W106	NDSPLS letter dated 02/11/23	X		JW		X	
W107	Emmons Cty Ordinance No. 23-01-01 approved 02/07/23	X		JW		X	
W108	J. Skaare letter dated 02/23/23	X		JW		X	
W109	R. Bakke email dated 02/24/23	X		JW		X	
W110	D. Harvey letter filed with Iowa Utilities Bd 02/28/23	X		JW		X	
W111	D. Zegert article: The Gassing of Satartia, dated 08/26/21	X		JW		X	
W112	ND SHPO letter dated 03/01/23	X		JW		X	
W113	ND Geological Survey letter dated 03/03/23	X		JW		X	
W114	Burleigh Cty proposed ordinance – Hazardous liquid pipeline	X		JW		X	
W115	D. Theurer email dated 03/06/23	X		JW		X	
W115a	J. Boespflug email dated 03/02/23	X		JW		X	
W116	Former Mayors of Bismarck letter dated 03/06/23	X		JW		X	
W117	Order Granting Petition for Intervention - SPLJ, LLP, et al., dated 03/06/23	X		JW		X	
W118	Order Granting Petition for Intervention - Warford dated 03/06/23	X		JW		X	
W119	Bd. of County Commissioners – Dickey Cty. letter dated 03/07/23	X		JW		X	
W120	J. Skaare letter dated 03/08/23	X		JW		X	
W121	Burleigh Cty. proposed ordinance – land use for hazardous liquid pipeline	X		JW		X	

W122	C. Wachter letter	X		JW			PSC objection - hearsay
W123	CO2 Pipelines are Safe advertisement	X		JW		X	
W127	Burleigh County Meeting minutes 05/2/22	X		JW		X	
W128	Burleigh County Meeting minutes 06/6/22	X		JW		X	
W129	Burleigh County Commission Meeting Minutes dated August 1, 2022	X		JW		X	
W130	Burleigh County Meeting minutes 9/7/22	X		JW		X	
W131	Burleigh County Meeting minutes 01/4/23	X		JW		X	
W132	Burleigh County Meeting minutes 01/18/23	X		JW		X	
W134	SCS project overview map	X		JW		X	
W135	SCS 38.86 miles pipeline map	X		JW		X	
W136	SCS 338.98 miles pipeline map	X		JW		X	
W137	Burleigh Cty. Pipeline route as of 05/31/22 map	X		JW		X	
W138	Heritage reserve subdivision map	X		JW		X	
W139	Burleigh Cty. Pipeline route as of 05/31/22 map w/notations	X		JW		X	
W140	SCS aerial map w/notations	X		JW		X	
W141	Burleigh Cty. Proposed and existing pipeline map	X		JW		X	
W142	Warford land ownership map	X		JW		X	
W143	Warford land and pipeline route map	X		JW			
W144	SCS map – Aberdeen and Sioux Falls, SD	X		JW		X	

W145	Burleigh County Land Use Plan 2015	X		JW		X	
W146	DGC – Living & working Near CO2 & SNG pipelines pamphlet	X		JW		X	
W147	PHMSA announcement dated 05/26/22	X		JW		X	
W148	Congressional Research Service report 06/03/22	X		JW		X	
W149	Pipeline Safety Trust news release dated 03/30/22	X		JW		X	
W150	Pipeline Safety Trust – CO2 pipelines article dated 03/30/22	X		JW		X	
W151	Pipeline Safety Trust – regulatory and knowledge gaps article	X		JW		X	
W152	Accufacts Inc. article dated 03/23/22	X		JW		X	
W153	CBC article dated 01/11/2011	X		JW		X	
W154	Global Energy Monitor Wiki article	X		JW		X	
W155	PHMSA accident investigation report dated 05/26/22	X		JW		X	
W156	Memorandum of Surface Easement agreement – Andahl, SCS	X		JW		X	
W157	Easement agreement – Richter, SCS dated 12/23/22	X		JW		X	
W158	Easement agreement – Richter, SCS dated 06/21/22	X		JW		X	
W159	Linde, Safety advice. Carbon Dioxide article	X		JW		X	
W160	Norway Pipeline Plume testing video (zip drive)	X		JW		X	
W161	Photograph of SCBA gear and pricing	X		JW		X	

W162	Summit – Frost Heave Study dated 04/17/23	X		JW		X	
W163	Bakke email dated 04/03/23	X		JW		X	
W164	Summit – Investor list	X		JW		X	
W165	Summit – information handout	X		JW		X	
W166	Grain Handling Safety Coalition – effects of H2S effect time	X		JW		X	
W167	Together 2045 - Bismarck Comprehensive Plan	X		JW		X	
W168	CO2Meter.com – CO2 Gas concentration defined	X		JW		X	
W169	Summit carbon facts from summitcarbonfacts.com	X		JW		X	
W170	Denbury Consent agreement with PHMSA signed 03/23/23	X		JW		X	
W171	Pipeline Safety Trust new release	X		JW		X	
W172	Gerald Briggs Resume	X		JW		X	
W173	Farmers Union insurance letter (Brad Nold)	X		JW		X	
W174	State Farm insurance letter	X		JW		X	
W175	Locations and Types of Reporters map	X		JW		X	
W176	California bill CA SB905	X		JW		X	
W177	Google earth map -Sartaria, MS	X		JW		X	
W178	Google earth map -Sartaria, MS plume (5 pages)	X		JW		X	
W179	Godfrey direct testimony before the South Dakota PUC	X		JW		X	
PT1	03/13/23 public testimony handouts	X				X	

PT2	04/11/23 public testimony handouts	X				X	
PT 3	05/09/23 public testimony handouts	X				X	
BD1	Written statement, maps, and NRCS survey	X		BD		X	
BD2	Schovanec email dated 1/28/22	X		BD		X	
BD3	Bray letter dated 01/20/22	X		BD		X	
BD4	Photograph	X		BD		X	SCS objection – 5 photos offered, only 1 photo admitted
BD5	Dotzenrod Easement Agreement	X		BD		X	
BD6	Reuters Article	X		BD	W		SCS objection
PSC1	Irrigation/Drainage/Water Quality, Thomas Scherer	X		PSC		X	
L1	Northstar Policy Action Report	X		LiUNA		X	
RD1	R. Dotzenrod materials	X		RD		X	SCS objection – Brehm article not admitted
JT1	Photograph	X		JT		X	
LS1	Staroba materials	X		LS		X	
KB1	Maps (2 pages)	X		KB		X	
KB2	Tax statement	X		KB		X	
SL1	Steve & Pam Laine Family Trust, SCS pipeline easement handout	X		SL		X	
SL2	Carbon Dioxide (CO2) Pipeline Safety, 49 CFR Part 195 handout	X		SL		X	
LG1	Maps (3 pages)	X		LG		X	