

May 22, 2023

VIA E-MAIL

Hope L. Hogan
Administrative Law Judge
Office of Administrative Hearings
2911 North 14th Street – Suite 303
Bismarck, ND 58503

**RE: SCS Carbon Transport LLC
Midwest Carbon Express Project
Case No. PU-22-391
OAH File No. 20230002**

Dear Judge Hogan:

On May 19, 2023, the Laborers District Council of Minnesota and North Dakota (“LiUNA”) filed a Motion to Compel Discovery in the above-referenced case. Specifically, LiUNA is seeking an order requiring SCS Carbon Transport LLC (“SCS”) to provide the information requested in the interrogatories submitted by LiUNA to SCS on May 1, 2023. SCS intends to respond to LiUNA’s Motion to Compel, however, the rules governing practice and procedure before the North Dakota Public Service Commission (“Commission”) do not provide timeframes for responses and replies to such motions. Accordingly, please be advised that SCS will file a response to LiUNA’s Motion to Compel on or before May 26, 2023 unless otherwise directed by you as the Administrative Law Judge for this matter.

Should you have any questions, please advise.

Sincerely,



LAWRENCE BENDER

LB/tjg

cc: All Parties of Record
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