

May 23, 2023

VIA E-MAIL

Hope L. Hogan  
Administrative Law Judge  
Office of Administrative Hearings  
2911 North 14<sup>th</sup> 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 22, 2023, Intervenor John H. Warford, Jr. as Trustee of the John H. Warford, Jr. Revocable Trust ("Warford") filed a Motion to Compel Summit Carbon to Produce Written Discovery and to Attend Rule 30(b)(6) Deposition & Request for Expedited Decision in the above-referenced case ("Motion to Compel"). SCS intends to respond to Warford'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 Warford's Motion to Compel on or before May 30, 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/mlm

cc: All Parties of Record  
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**STATE OF NORTH DAKOTA**

**SCS Carbon Transport LLC  
Midwest Carbon Express CO2 Project  
Sitting Application**

**CASE NO. PU-22-391**

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that a true and correct copy of the following:

1. Letter to Judge Hope Hogan regarding Motion to Compel Summit Carbon to Produce Written Discovery and to Attend Rule 30(b)(6) Deposition & Request for Expedited Decision, and
2. Certificate of Service

were, on May 23, 2023, sent electronically to the following:

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Dated this 23<sup>rd</sup> day of May, 2023.

FREDRIKSON & BYRON, P.A.

By: 

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