



KNOLL LEIBEL ^{LLP}
ATTORNEYS AT LAW

August 1, 2023

VIA U.S. & E-MAIL ONLY: 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 documents:

1. Response to Burleigh County's Petition to Intervene;
2. Declaration of Service.

This Brief is being filed with the North Dakota Public Service Commission (hereinafter "NDPSC") on behalf of the Intervenors represented by Knoll Leibel LLP. Intervenors have a direct and substantial interest in these proceedings, as well as legal property rights which may be substantially affected by NDPCS' findings and conclusions.

Sincerely,

KNOLL LEIBEL LLP

Steven J. Leibel
steve@bismarck-attorneys.com

SJL: rmo

Enclosures

362 PU-22-391 Filed: 8/1/2023 Pages: 4
Response to Burleigh County's Petition to Intervene

Knoll Leibel, LLP, on behalf and at the request of Intervenors
Steven Leibel, Attorney

Steven J. Leibel, Partner

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**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

**RESPONSE TO BURLEIGH
COUNTY'S PETITION TO
INTERVENE**

Intervenors ¹ represented by the undersigned counsel (hereinafter "Intervenors"), hereby respectfully submits this Response to Burleigh County's Petition to Intervene (Doc. 361). Intervenors agree Burleigh County should be allowed by the PSC to intervene in this matter.

Respectfully submitted this 1st day of August, 2023.



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¹ See Order Granting Petition for Intervention (Doc. 82, 83, 168, 204) and Amended Order Granting Petition for Intervention (Doc. 159).

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

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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. Response to Burleigh County's Petition to Intervene; and**
- 2. Declaration of Service.**

[2] On August 1, 2023, by sending a true and correct copy thereof by electronic means only to the following email addresses, to wit:

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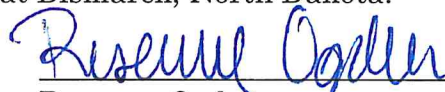
[3] and by sending the originals and seven (7) copies of said documents via U.S. Mail, at Bismarck, North Dakota with postage prepaid, to the following:

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 1st day of August 2023 at Bismarck, North Dakota.


Rosanne Ogden