

November 21, 2023

HAND DELIVERED

Mr. Steve Kahl
Executive Secretary Director
North Dakota Public Service Commission
600 E. Boulevard, Dept. 408
Bismarck, ND 58505-0480

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

Dear Mr. Kahl:

Enclosed herewith, please find the following documents for filing with the North Dakota Public Service Commission ("Commission") in the above-referenced case:

1. Response of SCS Carbon Transport LLC to the Petition to Intervene by the City of Bismarck; and
2. Certificate of Service.

An original and seven (7) copies of the foregoing are enclosed herewith. Also enclosed is a Compact Disc (CD) containing this letter and the above-referenced documents in PDF format.

Should you have any questions, please advise.

Sincerely,



LAWRENCE BENDER

LB/tjg
Enclosures
#80806489v1

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF NORTH DAKOTA**

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

OAH FILE NO. 20230002

**Response of SCS Carbon Transport LLC to the
Petition to Intervene by the City of Bismarck**

On November 15, 2023, the City of Bismarck (the “City”) filed a Petition to Intervene in the above-captioned case. *See* Docket No. 412. SCS Carbon Transport LLC (“Summit”) has no objection to the City intervening in this case for the limited purposes set forth in the City’s Petition, namely (1) emergency response planning and training, (2) proximity of the pipeline to the City, and (3) the location of the Missouri River crossing. For avoidance of doubt, Summit objects to the City participating in the forthcoming hearing on Summit’s motion to supersede and preempt local ordinances because the counties’ interests are already adequately represented with respect to such issue.

Dated this 21st day of November, 2023.

FREDRIKSON & BYRON, P.A.



LAWRENCE BENDER, ND Bar #03908
1133 College Drive, Suite 1000
Bismarck, ND 58501
(701) 221-8700
lbender@fredlaw.com

Attorneys for SCS Carbon Transport LLC

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

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

CASE NO. PU-22-391

CERTIFICATE OF SERVICE

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

1. Letter to S. Kahl forwarding documents for filing; and
2. Response of SCS Carbon Transport LLC to the Petition to Intervene by the City of Bismarck.

was, on November 21, 2023, filed with the North Dakota Public Service Commission and served electronically to the following:

Hope L. Hogan
hlhogan@nd.gov

John Schuh
jschuh@nd.gov

Zachary Pelham
zep@pearce-durick.com

Randall J. Bakke
rbakke@bgwattorneys.com

Bradley N. Wiederholt
bwiederholt@bgwattorneys.com

Steven Leibel
steve@bismarck-attorneys.com

David Knoll
david@bismarck-attorneys.com

Brian E. Jorde
bjorde@dominalaw.com

Kevin Pranis
kpranis@liunagroc.com

Derrick Braaten
derrick@braatenlawfirm.com

Julie Lawyer
bc08@nd.gov

Patrick Zomer
Pat.Zomer@lawmoss.com

Dated this 21st day of November, 2023.

FREDRIKSON & BYRON, P.A.

By: 

Lawrence Bender, ND Bar #03908
1133 College Drive, Suite 1000
Bismarck, ND 58501
(701) 221-8700
lbender@fredlaw.com

#80806412v1