



**Bakke
Grinolds
Wiederholt**

ATTORNEYS AT LAW

April 9, 2024

Via Hand-Delivery

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

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

Dear Mr. Kahl:

Enclosed for filing in Case No. PU-22-391, please find the following documents:

1. *Burleigh County's Request for Technical Hearing*; and
2. *Certificate of Service*, with seven copies of same.

Please do not hesitate to contact the undersigned if you have any questions about this filing.

Very Truly Yours,

/s/ Randall J. Bakke

Randall J. Bakke

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506 PU-22-391 Filed 04/09/2024 Pages: 5
Burleigh County's Request for Technical Hearing
Burleigh County Board of Commissioners
Randall J. Bakke, Attorney

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STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

SCS Carbon Transport LLC
Midwest Carbon Express CO2 Pipeline Project
Siting Application

Case No: PU-22-391
OAH File No: 20230002

BURLEIGH COUNTY’S REQUEST FOR TECHNICAL HEARING

Burleigh County requested a technical hearing with the submission of its witness list filed with the PSC in this matter on April 5, 2024 (Doc. 501). The PSC indicated a willingness to consider a technical hearing in its motion in relation to Burleigh County’s motion for a continuance of the April 22-26, 2024 hearing dates due to conflicts by both Burleigh County attorneys and the Landowner Intervenor attorneys (Doc. 487). The conflicts by the Burleigh County State’s Attorney and the undersigned still exist and they are unavailable to appear at the hearings on April 22-26, 2024, for the reasons previously explained (Doc. 474). Burleigh County requests that a technical hearing be scheduled to allow Burleigh County and the Landowner Intervenors to present testimony and evidence, and to cross-examine Summit’s witnesses and other witnesses who present testimony on April 22-26, 2024, as well as the Summit witnesses produced in response to Burleigh County’s Witness List (Doc. 501) on the five topics identified. Burleigh County requests that Summit’s witnesses be required to appear at the technical hearing either in-person or by Zoom. Burleigh County also requests that there be no requirement that Burleigh County and/or the Landowner Intervenors subpoena the Summit witnesses to compel their appearance at the technical hearing.

Burleigh County also requests that it be permitted to call its witnesses in-person at the technical hearing, to the extent its witnesses are available to do so. Burleigh County has no objection to any counsel or party presenting their own witnesses via Zoom or video.

Burleigh County requests that the technical hearing be scheduled on May 14-17, 2024, and May 21, 2024, which should allow adequate time for Burleigh County and the Landowner Intervenors to question all witnesses and present our evidence. Counsel for the Landowner Intervenors is also available on the referenced dates.

Dated this 9th day of April, 2024.

BAKKE GRINOLDS WIEDERHOLT

By: */s/ Randall J. Bakke*

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STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

SCS Carbon Transport LLC
Midwest Carbon Express CO2 Pipeline Project
Siting Application

Case No: PU-22-391
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CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the following documents:

1. *Filing Letter to Steve Kahl from Randall Bakke dated April 9, 2024; and*
2. *Burleigh County's Request for Technical Hearing.*

were on April 9, 2024, filed with the North Dakota Public Service Commission and served electronically to the following:

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Dated this 9th day of April, 2024.

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