

Notice of Ex Parte Communication

Case No. PU-22-391

Pursuant to 28-32-37, a person who has a direct or indirect interest in the outcome of the proceeding may not communicate, directly or indirectly regarding any issue in the proceeding while it is pending without notice and opportunity for all parties to participate in the communication. Consistent with the listed section, this document shall be placed in the record.

g) Party or person providing the ex parte communication:

See attached copy of ex parte email communication and list of senders who sent them.

h) Description of all written or oral communications received, all written and oral responses to the communications:

See attached copy of the written communication provided to Commissioner Sheri Haugen-Hoffart, Randy Christmann, and Timothy Dawson by the reply of Marvin Abraham and was also received by a general email account of the Public Service Commission. The written communication was only read by Commissioner Christmann.

i) All responses made written or oral to the ex parte communication:

No response was provided.

Any person desiring to rebut the ex parte communication is allowed to do so upon request within ten days after notice of the communication.

Current Parties, interested persons, and other persons allowed to participate that these matters: SCS Carbon Transport, LLC, Landowner Intervenor, Burleigh County, Emmons County, City of Bismarck, and LIUNA.

Reporting Staff: Brian Johnson

From: curt envisionnrg.com <curt@envisionnrg.com>

Sent: Thursday, April 11, 2024 1:51 PM

To: ndpsc@nd.gov <ndpsc@nd.gov>

Subject: NDPSC April 22, 2024 SCS Public Hearing at Baymont Suites Mandan ND

To: ND PSC Commissioners Christmann and Haugen-Hoffert and Decision-maker Dawson:

It is wholly unfortunate that you could not see your way to accommodating BURLEIGH County's request to reschedule the upcoming Public Hearing date that you all scheduled without coordinating with the Intervenor Attorneys while ensuring there were not only no conflicts with you and your staff but ALSO no conflicts with Summit Carbon Solutions vast number of legal counselors and expert witnesses.

The preferential treatment by you toward Summit throughout this entire Docket and numerous Hearing process has been glaring. All you need do is watch (especially) Commissioner Christmann's treatment of many public witnesses and intervenor witnesses on March 14, May 9 and June 2 2023 and this latest utter disregard (and disrespect) toward Intervenor Emmons and BURLEIGH County with the latter now not able to have its legal counsel available for the April 22, 2024 Public Hearing. It's a violation of duty to the people and a total disregard of due process. It's shameful.

Before setting the dates, how much coordination did you have with Summit, et al versus the Intervenor Attorneys? We want to know - WE THE PEOPLE!

You were elected "By the People" to represent and protect the interests "of the People" - not Summit or any other company that comes before you from out of nowhere to build a complex pipeline full of numerous detrimental impacts and unintended consequences!

Speaking of other companies that come before you - Mr. Christmann has recently criticized MDU for shutting down two of their Coal-fired power plants after which they have now filed a complaint before the FERC over the FX Solutions/Atlas Power crypto mining facility at Williston that is negatively impacting our electric reliability and rates for MDU, Capital Electric Cooperative and many other electricity providers across the state. As one of our state's top regulators, where were you all when MDU proposed shutting down these coal plants? Did you stand up or go public letting them know this was a bad idea? Where were you on looking out for our energy reliability and rates Commissioner Christmann and fellow commissioners? At least MDU is trying to do something about getting to the bottom of what the hell went wrong in the permitting and SPP Grid Impact Study that allowed the 240-260MWh crypto-mining facility to connect to the SPP power pool without assurance of sufficient concomitant generating capacity? And they want to take the crypto-mining facility to 700 MWh's of electric power consumption? What?

I, and hundreds of other area citizens, hereby request that you reschedule the April 22, 2024 Public Hearing AFTER coordinating such date with ALL attorneys and their Expert Witnesses in this Docket, not just Summit.

Best regards,

Curtis Jundt
Bismarck ND