



**KNOLL LEIBEL** <sup>LLP</sup>  
ATTORNEYS AT LAW

June 3, 2024

VIA U.S. MAIL & E-MAIL ONLY: [ndpsc@nd.gov](mailto: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 Motion For Reconsideration of Order of Protection on Information (Doc. 364), or in the Alternative, for Leave to Question re Dispersion Model; and
2. Declaration of Service.

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

Sincerely,

KNOLL LEIBEL LLP

Steven J. Leibel

[steve@bismarck-attorneys.com](mailto:steve@bismarck-attorneys.com)

DMK: rmo  
Enclosures

---

Steven J. Leibel, Partner

PO Box 858 · 1915 N. Kavaney Drive, Suite 3 · Bisma  
Phone 701-255-2010 · Fax 701-255-1980 · Email [steve@bismarck-attor](mailto:steve@bismarck-attor)

605 PU-22-391 Filed: 6/3/2024 Pages: 6  
Response to Burleigh Cty's Motion for  
Reconsideration of Order of Protection on Info (Doc  
364), or in the Alternative, for Leave to Question re  
Knoll Leibel, LLP, on behalf of the Intervenor

Steven Leibel, Attorney

## CONCLUSION

For the same reasons Burleigh County states in their Motion for Reconsideration (Doc. No. 582), Intervenor request the Commission reconsider its Order on Protection of Information (Doc. No. 364) and unseal and make publicly available Summit's Dispersion Model (Doc. No. 195). Landowner Intervenor join in the Burleigh County's requests for a second technical hearing to be held via reliable electronic means to permit questioning related to the Dispersion Model.

Dated this 3rd day of June, 2024.



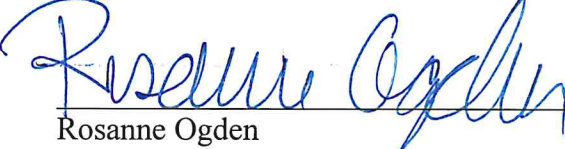
Steven Leibel (ID 07361)  
David Knoll (ID 06167)  
Knoll Leibel LLP  
P.O. Box 858  
1915 N. Kavaney Drive, Ste. 3  
Bismarck, ND 58501  
Ph: (701) 255-2010  
[steve@bismarck-attorneys.com](mailto:steve@bismarck-attorneys.com)  
[david@bismarck-attorneys.com](mailto:david@bismarck-attorneys.com)

*Landowner / Intervenor Lawyers*

Brian E. Jorde  
Pro Hac Vice (P02668)  
Domina Law Group  
2425 S. 144th St.  
Omaha, NE 68144  
Ph: 402-493-4100  
[bjorde@dominalaw.com](mailto:bjorde@dominalaw.com)  
[NDCO2@dominalaw.com](mailto:NDCO2@dominalaw.com)

*Landowner / Intervenor Lawyers*

Signed on the 3rd day of June, 2024 at Bismarck, North Dakota.

  
Rosanne Ogden