

January 25, 2024

VIA U.S. MAIL

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

**RE: Case No. PU-22-391
SCS Carbon Transport LLC
Midwest Carbon Express Project
Update to Data Request 3.3**

Dear Mr. Kahl:

On October 17, 2023, the North Dakota Public Service Commission ("Commission") submitted certain supplemental filings ("Supplemental Filings") and data requests ("Data Requests") to SCS Carbon Transport LLC ("Summit") in the above-referenced case. *See* Docket No. 409. Summit timely filed its response to the Data Requests on October 31, 2023 (the "Response to Data Requests"). *See* Docket No. 411.

Data Request 3.3 provides:

"Please identify what percentage of easements have been obtained by county."

As set forth on Exhibit A attached hereto, Summit has made notable progress in its right-of-way acquisition efforts since October 26, 2022, the date of Summit's right-of-way acquisition summary in its Response to Data Requests. Summit will continue to update the Commission with respect to its right-of-way acquisition efforts.

This letter was filed electronically by e-mailing the same to ndpsc@nd.gov. Seven (7) copies of this letter are enclosed herewith.

Should you have any questions, please advise.

Sincerely,



LAWRENCE BENDER

LB/tjg

Enclosures

#81368803v1

cc: SCS Carbon Transport LLC

659 PU-22-391 Filed 07/01/2024 Pages: 2
SCS Exhibit SCS R-4 - 01/25/24 SCS Response to
Suppl Request 3.1.5 (Dkt. #433)

SCS Carbon Transport LLC

433 PU-22-391 Filed 01/25/2024 Pages: 2
Response to Data Request 3.3
SCS Carbon Transport LLC
Lawrence Bender, Fredrikson&Byron, P.A.

EXHIBIT A

SCS ROW Progress as of January 22nd, 2024						
North Dakota	Parcels	ROW Miles	ROW Miles Executed	ROW Miles Executed %	Parcels Executed	Parcels Executed %
Burleigh	137	51.01	31.87	62.48%	82	59.85%
Cass	63	22.41	19.92	88.86%	56	88.89%
Dickey	93	37.18	28.70	77.18%	70	75.27%
Emmons	100	38.07	30.33	79.65%	76	76.00%
Logan	5	1.83	1.83	100.00%	5	100.00%
McIntosh	110	34.44	32.40	94.05%	100	90.91%
Morton	56	23.55	21.30	90.45%	50	89.29%
Oliver	51	18.40	16.97	92.22%	47	92.16%
Richland	172	65.73	50.81	77.31%	131	76.16%
Sargent	98	39.70	32.38	81.55%	74	75.51%
Grand Total	885	332.33	266.50	80.19%	691	78.08%