

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

EMMONS COUNTY'S REBUTTAL BRIEF

[¶1] Emmons County hereby submits this rebuttal brief and incorporates all of its arguments made in its closing argument (Docket No. 752) in response to the briefs and filings of other parties to this proceeding. For the reasons explained in Emmons County's closing argument, the Commission should deny Summit's request for authorization to ignore the laws passed by the people of Emmons County.

[¶2] Nothing in Summit's closing documents raises any new arguments and its interpretation of the relevant statutes is erroneous. The Commission should not be led astray by Summit's arguments about statutory interpretation that result in an absurd result of pointless acts required of local governments. The Commission's final opportunity to get the law right and consider the facts is in its final order, and Emmons County requests one last time that the Commission respect local governments and local control, and the people of Emmons County.

Dated: July 22, 2024.

BRAATEN LAW FIRM

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DECLARATION OF SERVICE

[¶1] I hereby certify that true and correct copies of the following documents:

- 1. Emmons County’s Rebuttal Brief; and**
- 2. Declaration of Service.**

were, on July 22, 2024, filed with the North Dakota Public Service Commission by mailing, by USPS First Class mail, postage prepaid, the originals and seven copies, and by e-mailing copies of the same, to:

North Dakota Public Service Commission
Steve Kahl, Executive Secretary
State Capitol
600 E. Boulevard Avenue, Dept. 408
Bismarck, ND 58505-0480
ndpsc@nd.gov

[¶2] I further certify that true and correct copies of the same were, on July 22, 2024, sent by electronic mail to the following:

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[¶3] The addresses of each party served are the last reasonably ascertainable e-mail address and post office address of such party.

[¶4] I declare, under penalty of perjury under the law of North Dakota, that the foregoing is true and correct.

Signed on this 22nd day of July, 2024 at Bismarck, North Dakota.



Desirae Zaste