



KNOLL LEIBEL ^{LLP}
ATTORNEYS AT LAW

July 22, 2024

VIA U.S. MAIL & E-MAIL ONLY: 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. Landowners' Post-Rehearing Reply Brief with Attachment 1; and
2. Declaration of Service.

The enclosed Reply Brief is being filed with the North Dakota Public Service Commission (hereinafter "NDPSC") on behalf of the Intervenors represented by Knoll Leibel LLP. These Intervenors 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

SJL: rmo

Enclosures

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Landowners' Post-Rehearing Reply Brief with Attachment 1

Knoll Leibel, LLP, on behalf of the Intervenors

Steven Leibel, Attorney

Steven J. Leibel, Partner

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VI. Cultural Resource Surveys

23. Summit claims it has a sufficient handle on the location of cultural resources across and near their proposed route and a plan to deal with the unexpected discovery of such resources. During the June 4, 2024, hearing, Julia Stamer offered three photos of cultural artifacts found upon the land where Summit seeks to dig, trench, and cross. See Ex PT 7, pages 11-12. Summit did not present evidence sufficiently addressing cultural resources.

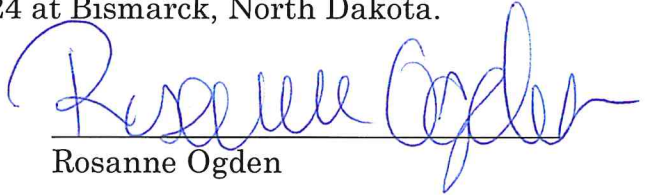


VII. Future Development and Property Values.

24. Wade Becker, Boulder Appraisal, LLC, never testified and he never substantiated or was put to cross-examination as to his unfounded statements in the letter Summit relies upon. Simply calling a new witness, Jeff Olson, to explain Mr. Becker's conclusions should not be given much weight if any. Mr. Olson, like Summit, wants to lump all pipelines together, but they are not the same. The fact Mr. Olson and Summit draw a conclusion on valuation of CO2 affected land everywhere based upon vague and incomplete data from a whopping one sale of CO2 encumbered land

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

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



Rosanne Ogden