



KNOLL LEIBEL ^{LLP}
ATTORNEYS AT LAW

October 3, 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 Summit
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. Joinder to Burleigh County's Request for Summit's Limited Liability Insurance Policy; and
2. Declaration of Service.

The enclosed Joinder 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

774 PU-22-391 Filed: 10/3/2024 Pages: 6
**Joinder to Burleigh County's Request for Summit's
Limited Liability Insurance Policy**

Knoll Leibel, LLP, on behalf of the Intervenors

Steven Leibel, Attorney

Steven J. Leibel, Partner

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**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

IN THE MATTER OF THE APPLICATION
OF SCS CARBON TRANSPORT LLC FOR
A CERTIFICATE OF CORRIDOR
COMPATIBILITY AND ROUTE PERMIT
FOR THE MIDWEST CARBON EXPRESS
PROJECT IN BURLEIGH, CASS, DICKEY,
EMMONS, LOGAN, MCINTOSH,
MORTON, OLIVER, RICHLAND AND
SARGENT COUNTIES, NORTH DAKOTA

Case No. PU-22-391

**JOINDER TO BURLEIGH
COUNTY'S REQUEST FOR
SUMMIT'S LIMITED LIABILITY
INSURANCE POLICY**

Intervenors¹, represented by the undersigned counsel, respectfully submit joinder to Burleigh County's Request for Summit's Limited Liability Insurance Policy.

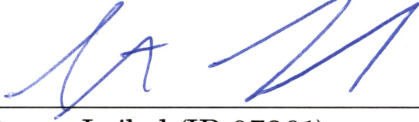
1. As the Commission is aware, these landowner intervenors opposed the relief sought by SCS Carbon Transport LLC ("Summit"). Landowner Intervenors request that Summit provide a copy of its liability insurance policy in the amount of \$100,000,000 in general liability coverage and file a copy of the same with the Public Service Commission.

2. Landowner Intervenors also request a copy of any document wherein Summit verifies it has provided full indemnity to landowners who refuse to sign an easement and Summit takes via eminent domain. Landowner Intervenors understand that Summit is only agreeing to indemnify the landowners for damage done by Summit, and only those landowners who enter a standard easement contract. The Public Service

¹ See Order Granting Petition to Intervene (Doc. 82, 83, 159, 168, 204, 511, and 512).

Commission should not allow Summit to punish those landowners who intend to assert their constitutional rights and refuse to voluntarily sign easements.

Dated this 3rd day of October, 2024.



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**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

IN THE MATTER OF THE APPLICATION
OF SCS CARBON TRANSPORT LLC FOR
A CERTIFICATE OF CORRIDOR
COMPATIBILITY AND ROUTE PERMIT
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SARGENT COUNTIES, NORTH DAKOTA

Case No. PU-22-391

DECLARATION OF SERVICE

[1] Rosanne Ogden declares that I am of legal age and not a party to this action, and that I served the following document(s):

1. Joinder to Burleigh County's Request for Summit's Limited Liability Insurance Policy; and
2. Declaration of Service.

[2] On October 3, 2024, by sending a true and correct copy thereof by electronic means only to the following email addresses, to wit:

John Maurice Schuh Bar ID 08138
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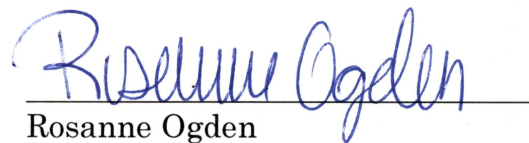
[3] and by sending the originals and seven (7) copies of said documents via U.S. Mail, at Bismarck, North Dakota with postage prepaid, to the following:

Steve Kahl
Executive Secretary
North Dakota Public Service Commission
State Capitol
600 E Boulevard Ave, Dept 408
Bismarck, ND 58505-0480

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

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

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


Rosanne Ogden