

October 15, 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**

Dear Mr. Kahl:

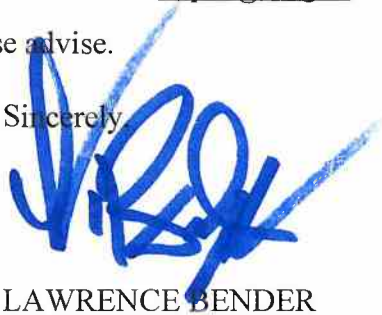
Enclosed herewith, please find the following documents for filing with the North Dakota Public Service Commission ("Commission") in the above-referenced case:

1. Easement & Survey Progress Update; and
2. Certificate of Service.

An original and seven (7) copies of this letter and the above-referenced documents are enclosed herewith. This letter and the above-described documents have been electronically filed with the Commission by e-mailing copies of the same to ndpsc@nd.gov.

Should you have any questions, please advise.

Sincerely,



LAWRENCE BENDER

LB/tjg
#84151388v1

cc: SCS Carbon Transport LLC

October 15, 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**

Dear Mr. Kahl:

On October 7, 2024, the North Dakota Public Service Commission (“Commission”) held a work session to discuss the application of SCS Carbon Transport LLC (“Summit”) in the above-referenced matter. At the work session, a Commissioner requested that Summit provide an update to the Commission regarding Summit’s easement acquisition progress. Accordingly, Summit submits the following:

- Attached hereto as Exhibit A, please find an updated ROW Progress Chart dated as of October 9, 2024.
- Since the Commission’s August 4, 2023 Order denying Summit’s application, Summit has implemented approximately 66 route adjustments that involved 203 different parcels of land (“Reconsideration Reroutes”).
- Prior to implementing the Reconsideration Reroutes, Summit had acquired 75.22% of the then 320.55 miles total right-of-way in North Dakota.¹
- Approximately 7 miles of acquired right-of-way (26 fully paid easements) were abandoned as a result of the Reconsideration Reroutes (the “Abandoned Right-of-Way Miles”).
- To date, approximately 39 miles of new right-of-way (107 easements) have been added to the project route in North Dakota as a result of the Reconsideration Reroutes (the “New Right-of-Way Miles”). The New Right-of-Way Miles include replacing the Abandoned Right-of-Way Miles, amending routes subject to existing easements (approximately 20 miles), and extending the route further to the north of Bismarck. Cumulatively, the Reconsideration Reroutes resulted in a net addition of

¹ See Docket No. 355 (ROW Progress Chart dated July 10, 2023).

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approximately 12 miles to the project route in North Dakota, which is currently 332.71 miles.

- Notwithstanding the foregoing, Summit has worked diligently to increase its total right-of-way mile acquisition in North Dakota by 6.17% (from 75.22% to 81.39%) since the Commission's August 4, 2023 Order.

Summit has also made progress on its cultural resource surveys. As reflected on the chart attached hereto as Exhibit B, Summit has completed cultural resource surveys on 97% of the route in North Dakota.

Should you have any questions, please advise.

Sincerely,



LAWRENCE BENDER

LB/tjg
#84139817v1

cc: SCS Carbon Transport LLC

EXHIBIT A



SCS ROW Progress as of October 9th, 2024

North Dakota	Parcels	ROW Miles	ROW Miles Executed	ROW Miles Executed %	Parcels Executed	Parcels Executed %
Burleigh	143	50.53	32.89	65.09%	83	58.04%
Cass	63	22.41	19.91	88.86%	55	87.30%
Dickey	96	37.21	29.86	80.23%	73	76.04%
Emmons	102	38.46	30.95	80.47%	76	74.51%
Logan	7	1.83	1.83	100.00%	5	71.43%
McIntosh	110	34.49	32.44	94.06%	100	90.91%
Morton	56	23.54	21.29	90.45%	50	89.29%
Oliver	51	18.38	16.96	92.28%	47	92.16%
Richland	174	65.87	51.12	77.61%	134	77.01%
Sargent	98	39.98	33.53	83.86%	77	78.57%
Grand Total	900	332.71	270.78	81.39%	700	77.78%

EXHIBIT B

SCS Environmental Survey Progress as of October 9th, 2024							
Cultural Survey							
North Dakota	Total Tracts	Total Miles	Miles Surveyed	Miles Remaining	Tracts Surveyed	Tracts Remaining	Percent Complete
Burleigh	143	50.53	48.13	2.40	130	13	95%
Cass	63	22.41	22.11	0.30	62	1	99%
Dickey	96	37.21	33.61	3.60	86	10	90%
Emmons	102	38.46	36.56	1.90	94	8	95%
Logan	7	1.83	1.83	0.00	7	0	100%
McIntosh	110	34.49	34.49	0.00	110	0	100%
Morton	56	23.54	22.54	1.00	54	2	96%
Oliver	51	18.38	18.38	0.00	51	0	100%
Richland	174	65.87	64.37	1.50	169	5	98%
Sargent	98	39.98	39.48	0.50	96	2	99%
Grand Total	900	332.71	321.51	11.20	859	41	97%

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**SCS Carbon Transport LLC
Midwest Carbon Express CO2 Project
Sitting Application**

CASE NO. PU-22-391

CERTIFICATE OF SERVICE

I, the undersigned, being of legal age, hereby certify that a true and correct copy of the following:

1. Letter to S. Kahl forwarding documents for filing; and
2. Easement & Survey Progress Update.

were, on October 15, 2024, filed with the North Dakota Public Service Commission and served electronically to the following:

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Dated this 15th day of October, 2024.

FREDRIKSON & BYRON, P.A.



By: _____

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