

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF BURLEIGH

SOUTH CENTRAL JUDICIAL DISTRICT

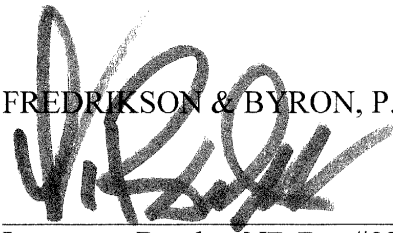
Burleigh County,	Case No. 08-2024-CV-03614
Appellant,	
v.	SCS CARBON TRANSPORT LLC'S
North Dakota Public Service Commission,	MOTION TO DISMISS
SCS Carbon Transport LLC,	
Appellees.	

[¶ 1] Appellee SCS Carbon Transport LLC (“Summit”) hereby moves the Court for an order dismissing Appellant Burleigh County’s appeal on the ground that this Court lacks subject matter jurisdiction to decide the appeal because Burleigh County failed to comply with the requirements of N.D.C.C. § 28-32-42(4).

Dated this 18th day of February, 2025.

FREDRIKSON & BYRON, P.A.

By:


Lawrence Bender, ND Bar #03908
304 East Front Avenue, Suite 400
Bismarck, ND 58504-5639
lbender@fredlaw.com
(701) 221-8700

Attorney for SCS Carbon Transport LLC

#85012958v4