

Thompson, Pamela J.

From: -Info-Land Dept. ROW
Sent: Wednesday, January 10, 2024 1:48 PM
To: -Info-Public Service Commission
Cc: -Info-DTL General Inquiries
Subject: RE: PSC Case No. PU-23-347 Notice of Opportunity for Hearing
Attachments: 003-010.pdf

Hello,

The North Dakota Department of Trust lands (NDDTL) received a letter (attached) issued November 29, 2023, from the Public Service Commission regarding request for comment on Case No. PU-23-347.

Any proposed projects crossing NDDTL managed property would need to apply for a Rights of Way and would be subject to review and approval by the Board of University and School Lands. NDDTL reviews the financial benefit to the trusts; availability of alternate encumbrance site or route; least environmentally damaging site or route regardless of property ownership; physical stability of the landscape; other potential future uses for the trust lands, including urban development; potential mineral and other material development including oil, gas, coal, construction aggregate, sodium sulfate, chemical substances, metallic ore, or uranium ore; feasibility for reclamation; maintenance of existing wetlands and water flows; any cultural, historical, archeological, and paleontological resources; habitat for federally listed threatened and endangered species; location of the proposed route or site in relation to section lines, quarter section lines and corridors; potential liability to the trusts; applicant's past encumbrances on trust lands; applicant's financial stability; and any other information relevant to the application which would assist in the determination.

If you have any questions, please contact the Department via emailing landrow@nd.gov or calling 701-328-2800.

Sincerely,

North Dakota Department of Trust Lands
landrow@nd.gov • land.nd.gov/rightsofway • 1707 N 9th St • Bismarck, ND 58501



STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Dakota Gasification Company
Transfer – Corridor #223 & Route #233
Siting Application

Case No. PU-23-347

NOTICE OF OPPORTUNITY FOR HEARING

On July 28, 2021, in Case No. PU-21-150 the Commission adopted Findings of Fact, Conclusions of Law and Order issuing Certificate of Corridor Compatibility Number 223, and Route Permit number 233, to Dakota Gasification Company (DGC), for the construction, operation, and maintenance of approximately 2.9 miles of twelve-inch and 3.9 miles of six-inch carbon dioxide gas pipeline and associated facilities in Mercer County, North Dakota.

On November 15, 2023, in Case No. PU-23-347, DGC and Dakota Carbon LLC (DCS) filed a joint application to transfer Certificate of Corridor Compatibility Number 223 and Route Permit Number 233 from DGC to DCS.

The issues to be considered in Case No. PU-23-347 are whether DCS agrees and is able to comply with the terms and conditions of the certificate and whether the requested transfer is compatible with the public interest.

Those interested are invited to comment on the application in writing. Persons desiring a hearing must file a written request identifying their interest in the proceeding and reasons for requesting a hearing. **Comments and requests for hearing must be received by January 8, 2024.** If deemed appropriate, the Commission can determine the matter without a hearing.

For more information contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400; or Relay North Dakota 1-800-366-6888 TTY. If you require any auxiliary aids or services, such as readers, signers, or Braille materials, please notify the Commission.

Issued: November 29, 2023

PUBLIC SERVICE COMMISSION


Sheri Haugen-Hoffart
Commissioner


Randy Christmann
Chair


Julie Fedorchak
Commissioner