

August 4, 2023

The Public Service Commission convened in the Pioneer Room, State Capitol, Judicial Wing, Ground Floor, Bismarck, North Dakota, on August 4, 2023, 10:01 a.m. Present were Commissioners Christmann, Haugen-Hoffart and Substitute Decision Maker Dawson.

Case No. PU-22-391  
SCS Carbon Transport LLC  
Midwest Carbon Express CO2 Pipeline  
Project  
Siting Application

Mr. Christmann: I move the Commission adopt the Order on Protection of Information in SCS Carbon Transport LLC, Midwest Carbon Express CO2 Pipeline Project, Siting Application, Case No. PU-22-391.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: Mr. Christmann votes "Aye".

Ms. Haugen-Hoffart votes "Aye".

Mr. Dawson votes "Aye".

Case No. PU-22-391  
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Siting Application

Mr. Christmann: I move the Commission adopt the Findings of Fact, Conclusions of Law and Order in SCS Carbon Transport LLC, Midwest Carbon Express CO2 Pipeline Project, Siting Application, Case No. PU-22-391.

Ms. Haugen-Hoffart: I second the motion.

Mr. Christmann: I move the Commission amend Page 11, No. 42, 4th Line, remove the words plume modeling.

Ms. Haugen-Hoffart: I second the motion.

Roll Call: Mr. Christmann votes "Aye".

Ms. Haugen-Hoffart votes "Aye".

Mr. Dawson votes "Aye".

Ms. Haugen-Hoffart: I move the Commission amend the Findings of Fact, Conclusions of Law and Order as follows:

Findings of Fact Paragraph 19 is amended to:

19. SCS has requested the Commission to supersede and preempt the ordinances of both Emmons and Burleigh Counties, North Dakota. SCS has not filed an application with either county for a variance or waiver to their ordinances.

Conclusions of Law Paragraph 4 is amended to:

4. Due to this Application being denied, the issue of whether the county ordinances are automatically superseded and preempted is moot.

And the Removal of Ordering Paragraph 4.

Mr. Christmann: I second the motion.

Roll Call: Mr. Christmann votes "Nay".

Ms. Haugen-Hoffart votes "Aye".

Mr. Dawson votes "Aye".

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Case No. PU-22-391 Continued  
SCS Carbon Transport LLC  
Midwest Carbon Express CO2 Pipeline  
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Siting Application

Vote to adopt the order as amended.  
Roll Call: Mr. Christmann votes "Aye".  
Ms. Haugen-Hoffart votes "Aye".  
Mr. Dawson votes "Aye".

ATTEST

THE COMMISSION ADJOURNED AT 10:42 A.M.

  
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Executive Secretary

  
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RANDY CHRISTMANN, CHAIR