

NEWS RELEASE
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PSC Approves Summit Carbon Solution's Petition for Reconsideration

BISMARCK, ND – The North Dakota Public Service Commission (PSC) today granted a Petition for Reconsideration filed by SCS Carbon Transport LLC (Summit). The petition was filed by the company after the PSC denied a siting permit for the Midwest Carbon Express CO2 Pipeline Project in early August. The vote today was 2-1, with Commissioner Haugen-Hoffart casting the opposing vote.

In its petition, Summit has requested an opportunity to present relevant evidence at a hearing or hearings to demonstrate on the record that it has addressed, or will address, the deficiencies noted in the PSC's Aug. 4, 2023, order to deny the permit. The company is granted the right to file for reconsideration under North Dakota Administrative Code (NDAC) Section 69-02-06-02. Administrative code also includes a consideration of a "just, speedy, and inexpensive determination of the issues presented." Today's decision took that into account as a decision to deny the reconsideration would have forced the company to reapply and start the permitting process all over, including throwing out all information currently in the record. That record includes information gathered at five different public hearings held across the state, which included lengthy and valuable testimony from the company, intervenors and the public.

The Commission will determine at a future date any details regarding a hearing or hearings and what issues will be considered during that process.

SCS Carbon Transport LLC filed an application in Oct. 2022 to construct approximately 320 miles of carbon dioxide pipeline in North Dakota. The proposed route of the pipeline would cross through parts of Burleigh, Cass, Dickey, Emmons, Logan, McIntosh, Morton, Oliver, Richland and Sargent Counties. The CO2 would then be injected into pore space for permanent sequestration.

The North Dakota Public Service Commission is a constitutionally created state agency with authority to permit, site and regulate certain business activities in the state including electric and gas utilities, telecommunications companies, power plants, electric transmission lines, pipelines, railroads, auctioneers, commercial weighing devices, pipeline safety and coal mine reclamation. For more information, contact the Public Service Commission at (701) 328-2400 or www.psc.nd.gov.

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