

OAH 8-2500-19094-2

MPUC Docket No. PL9/CN-07-465 (Certificate of Need)
MPUC Docket No. PL9/PPL-07-361 (Route)

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE PUBLIC UTILITIES COMMISSION

In the Matter of the Application of
Enbridge Energy, Limited Partnership,
and Enbridge Pipelines (Southern
Lights) LLC for a Certificate of Need for
the Alberta Clipper Pipeline Project and
the Southern Lights Diluent Project

and

In the Matter of the Application of
Enbridge Energy, Limited Partnership,
and Enbridge Pipelines (Southern
Lights) LLC for a Route Permit for the
Alberta Clipper Pipeline Project and the
Southern Lights Diluent Project

**PUBLIC COMMENTS
FILED WITH OAH
OUTSIDE OF TIME**

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OIL USA, INC.

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SUPERIOR WISCONSIN 54880

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HEARINGS

April 28, 2007

Honorable Eric L. Lipman
Office of Administrative Hearings P.O. Box 64620
St. Paul, MN 55164-0620

RE: MN OAH No. 8-2500-19094-2
MPUC Docket No. PL9/CN-07-465

Dear Judge Lipman:

Enbridge is proposing to build two pipelines, the Alberta Clipper and Southern Lights Diluent Projects through Minnesota that will supply the Midwest with a reliable energy source. I offer this letter in complete support of the projects.

The U.S. currently imports much of our crude oil from unreliable and unstable regions of the world. Our neighbors in Canada are a reliable source of oil and we should be expanding the ability to move that oil to the U.S.

The U.S. Midwest is short of refining capacity and we are subject to supply disruptions due to hurricanes in the Gulf Coast refining centers. More refining capacity served by expanded deliveries from Canada is good for our region and the nation.

Enbridge's proposed Alberta Clipper and Southern Lights Diluent Projects will increase the capacity to deliver more crude oil to key Midwest refineries. Our refinery in Superior, Wisconsin which serves much of Northeast MN would benefit from this project.

Again, I would like to encourage the PUC to support Enbridge's application in providing an energy supply that is dependable and secure.

Sincerely,



David J. Podratz
Refinery Manager

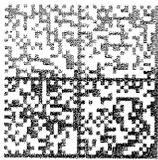
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Honorable Eric L. Lipman
Office of Administrative Hearings
P.O. Box 64620
St. Paul, MN 55164-0620





United States
Department of
Agriculture

Forest
Service

Chippewa National Forest
Supervisor's Office

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Cass Lake, MN 56633-8929
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File Code: 1950/2720-1
Date: April 24, 2008

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HEARINGS

Administrative Law Judge Eric Lipman
Office of Administrative Hearings
100 Washington Square, Suite 1700
Minneapolis, MN 55401-23183

Dear Judge Lipman:

Thank you for the opportunity to comment on the Enbridge Pipeline Certificate of Need (CON) and Pipeline Routing Permit (PRP) for the Alberta Clipper and Southern Lights Diluent projects. Enbridge's proposed route involves federal land administered by the Chippewa National Forest.

We recognize the role the Minnesota Public Utilities Commission has in evaluating these pipeline proposals. We also understand that upon issuance of the CON and PRP that Enbridge will have the authority to use eminent domain to acquire the right-of-way on private lands within the approved route to construct and operate the pipelines and associated facilities.

Through a third-party consultant, the Forest Service will be conducting a parallel evaluation of the proposed and alternative routes on National Forest System (NFS) lands under the National Environmental Policy Act (NEPA) process. I understand the need for the MPUC and the federal agencies evaluating permit requests to coordinate their reviews and ultimately make consistent and complementary decisions for the pipeline location. Please be aware that we anticipate the Final Environmental Impact Statement to be completed in October 2008. At that time I expect to make the decision on which route to authorize a permit for use of NFS lands.

Following are potential impacts on National Forest System lands, which we will be evaluating under the NEPA process:

The Chippewa National Forest is concerned about pipeline rupture or failure resulting in soil and water contamination. Constructing the pipeline along the railroad and other features complicates clean-up should the pipeline rupture (note the spill at the Cass Lake Station). We have questions about whether the diluent will require new or different clean-up or mitigation procedures, and whether it will pose new risks.

The Chippewa National Forest is concerned about surface water contamination resulting from construction near the St. Regis Paper Company Superfund Site near Pike Bay. There are concerns that contaminants will be re-suspended posing a greater risk to the safety of the community and to the environment.



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Widening of the ROW and removing vegetation could cause an increase of unauthorized off-road vehicle use, in turn causing detrimental impacts to the area.

- Arsonist and fire control are a concern with increased public accessibility. Is there increased fire risk with the diluents? The Chippewa National Forest recommends Enbridge continue providing education for local fire departments and Forest Service.
- Increased access will increase the spread of noxious species.
- Increased access could result in unauthorized garbage dumping.

Increasing the width of the cleared corridor could reduce security cover, thereby impeding movement of wide-ranging wildlife. Changes to the physical dynamics of the forest could have effects on wildlife habitat.

Threatened, endangered or sensitive species could be impacted by pipeline construction.

Clearing of trees, particularly coniferous areas, will convert forested areas to open areas which would alter forest community types. The Chippewa National Forest has several areas with “old growth” or uncommon and rare trees which would be converted to open areas.

Spreading of noxious weeds by unauthorized vehicles and construction vehicles acting as vectors for the spread or introduction of noxious weeds is a concern for the Chippewa National Forest. Measures would have to be taken to prevent the spread of noxious weeds.

Pipeline construction activities and widening of ROW could affect the scenic quality and landscape character observed from US Hwy 2 and adjacent trails. An analysis of impacts to scenic quality, including cumulative effects of tree thinning along Highway 2, will need to be conducted.

Construction activity may restrict recreational use, and the widening of permanent ROW clearing could affect the recreational experience of the Mi-Gi-Zi Bike Trail and Soo Line Trail.

The Chippewa National Forest has concerns regarding the effects of compaction of soils during construction, excessive backfill material after construction, and alterations to the land topography on groundwater and surface water hydrology, and effects these changes will have in lowland conifer stands and wetlands adjacent to the pipeline.

The Chippewa National Forest has concerns about the effects of the Mississippi River crossing. Of particular concern are erosion problems, aquatic and sensitive species, protected areas around the river, risks with laying pipe beneath the river bed and contamination in the event of a fracout resulting in the release of bentonite.

The Chippewa National Forest has concerns about compaction and disturbance of soils and erosion in upland areas, particularly in areas that are wind or water erodible, compaction prone, or droughty.

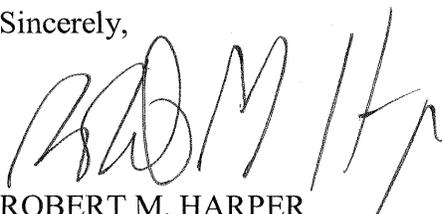
The Chippewa National Forest has concerns about effects on transportation surrounding the area during pipeline construction. Of particular concern is diverting traffic during construction;

maintaining access to homes and critical access areas; safety issues with the City of Cass Lake and surrounding communities; adequate public awareness and economic effects on resort and local communities.

The Chippewa National Forest is concerned about pipeline construction activities causing impacts to archaeological sites and Native American properties.

While we have these concerns, I believe we can address many, if not all, through specific design, location, timing and other mitigation measures. If you have any questions please feel free to contact Cathy Thompson at (218) 335-8655 or cjthompson@fs.fed.us.

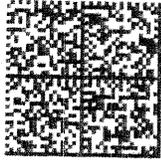
Sincerely,

A handwritten signature in black ink, appearing to read 'R M Harper', written over a light blue horizontal line.

ROBERT M. HARPER
Forest Supervisor

cc: Carolyn Upton

UNITED STATES
DEPARTMENT OF AGRICULTURE
USDA Forest Service
Chippewa National Forest
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Cass Lake, MN 56633
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Administrative Law Judge Eric Lipman
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