



Burl W. Haar, Executive Secretary

STATE OF MINNESOTA PUBLIC UTILITIES COMMISSION

**NOTICE OF COMMENT PERIOD ON MOTION TO SEPARATE
CERTIFICATE OF NEED AND ROUTE PERMIT PROCEEDINGS**

Issued: April 14, 2014

In the Matter of the Applications of North Dakota Pipeline Company LLC for a Certificate of Need and a Pipeline Routing Permit for the Sandpiper Pipeline Project in Minnesota

PUC Docket Number: PL-6668/CN-13-473 (Certificate of Need)
PL-6668/PPL-13-474 (Route Permit)

Honor the Earth Motion: On April 4, 2014, Honor the Hearth filed with the Minnesota Public Utilities Commission (Commission), a *Motion to Extend or Suspend the Current Deadlines for Alternative Routes and Add Community Public Hearings*. The Motion requested that the Commission: 1) provide additional community public hearings; 2) extend the April 4, 2014, deadline to submit comments on alternative pipeline routes until after Labor Day 2014; and 3) separate the certificate of need and pipeline route permitting proceedings.

Topics Open for Comment at this Time:

- Should the Commission consider the Motion to separate the certificate of need and pipeline route permitting proceedings in this matter?
- Please provide the rationale supporting your recommendation on the Motion and indicate how the Commission should address the Motion.

Comment Period: Initial comment period closes **Monday, April 28, 2014, at 4:30 p.m.**
Reply comment period closes **Monday, May 5, 2014, at 4:30 p.m.**

Submit Public Comments: Email to: PublicComments.PUC@state.mn.us. Persons without email access may send by U.S. mail to: Burl Haar, Executive Secretary, Minnesota Public Utilities Commission, 121 7th Place East, Suite 350, St. Paul MN 55101-2147. Please include the PUC Docket Numbers (13-473 and/or 13-474) in all communications.

Project Background: On November 8, 2013, North Dakota Pipeline Company LLC (NDPC) filed applications for a certificate of need and a pipeline route permit to construct approximately 299 miles of new pipeline in Minnesota, as part of a proposed new 612-mile interstate pipeline project to transport crude oil from Beaver Lodge Station south of Tioga, North Dakota to an NDPC affiliate terminal in Superior, Wisconsin.

On February 11, 2014, the Commission found NDPC's Application for a Pipeline Route Permit to be substantially complete, which begins the permit review process. In a separate Order issued on that same date, the Commission found NDPC's Application for a Certificate of Need to be substantially complete upon submittal of additional data required under Minnesota Rules 7853.0510 and 7853.0530. On March 19, 2014, NDPC provided the additional required data. On March 24, 2014, the Commission confirmed that the certificate of need application was substantially complete.

On January 31, 2014, the Commission and the Minnesota Department of Commerce (Department) provided Notice of Application Acceptance and Public Information Meetings. Seven public information meetings were conducted in six different counties along NDPC's proposed route between the dates of March 3 and 13, 2014. A comment period was open from January 31, 2014 to April 4, 2014, to provide the public an opportunity to comment on potential human and environmental impacts and to suggest alternative pipeline routes to be considered in the comparative environmental analysis to be prepared by the Department.

Future Opportunities for Public Participation: The Commission's review process for pipeline projects is governed by both statute and rule. The review process includes several opportunities for citizen input throughout the proceedings, including the recent public information meetings, future public hearings and written public comment periods. Future milestones and public participation opportunities in the certificate of need and pipeline routing processes include:

- The Commission will decide which alternative pipeline routes will be accepted for consideration at the public hearings.
- The Department will prepare a comparative environmental analysis of all routes accepted for hearing.
- Upon completion of the comparative environmental analysis, public and evidentiary hearings will be scheduled. The public hearings will, among other things, seek public input on the need for the project, as well as the comparative impact of the routes being considered. Typically, public hearings are scheduled in the same locations that the public information meetings were held, however, additional locations are being considered. Citizens will have the opportunity at the public hearings to question witnesses and offer oral and written comments into the record.

- Information gathered at the public and evidentiary hearings and during the subsequent comment period will be used by the administrative law judge (ALJ) to write a report for the Commission. The report will include findings of fact, conclusions of law and recommendations on the merits of the proposed project, whether the project is needed, a preferred route alternative for the new pipeline, and conditions or provisions for the proposed route permit. In addition, the ALJ's report will include all evidence properly submitted into the record for the case, including public comments.
- After receiving the ALJ's report, the Commission will convene a public meeting at which it will consider the record thus presented and make a final decision on the permit.

Filing Requirements: Utilities, official parties, and state agencies are required to file documents using the Commission's eFiling system at: <https://www.edockets.state.mn.us/EFiling>.

Full Case Record: All documents filed in this docket are available on the Commission's website at: www.puc.state.mn.us, select "Search eDockets," enter the year (13) and the docket number (473 and/or 474), select "Search."

Project Mailing List: Sign up to receive notices about project milestones and opportunities to participate at: docketing.puc@state.mn.us or call 651-201-2204.

Subscribe to the Docket: Receive notification when new documents are filed in this matter at: www.puc.state.mn.us, select "Subscribe to a Docket," and follow the prompts.

Questions about this docket or Commission process and procedure? Contact Scott Ek of the Commission staff at 651-201-2255 or scott.ek@state.mn.us.

This document can be made available in alternative formats (i.e., large print or audio) by calling 651-296-0406 (voice). Persons with hearing or speech disabilities may call us through their preferred Telecommunications Relay Service.