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Burl W. Haar, Executive Secretary

STATE OF MINNESOTA PUBLIC UTILITIES COMMISSION

**NOTICE OF DENIAL OF REQUEST FOR ADDITIONAL PUBLIC  
INFORMATION MEETINGS**

*Issued: April 14, 2014*

**In the Matter of** the Application of North Dakota Pipeline Company LLC for a Pipeline Routing Permit for the Sandpiper Pipeline Project in Minnesota

**PUC Docket Number:** 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.

**Request for Additional Public Information Meetings:** The request to schedule additional public information meetings in this matter is declined. The Commission's February 11, 2014, *Order Finding Application Substantially Complete and Varying Timelines; Notice of Hearing*, (PL-6668/PPL-13-474) states, "The Commission delegates administrative authority over this matter, including authority over timing issues, to its Executive Secretary." As noted below, there will be extensive opportunities, including addition hearings and comment periods, for parties and the public to offer input into the record upon which the Commission must render its decision.

**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 routing 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 routing process 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.

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

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

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**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](mailto:scott.ek@state.mn.us).

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