

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 Southern Lights Project

MPUC Docket No. PL-9/CN-07-465

Reply Comments of LIUNA Minnesota and North Dakota

LIUNA Minnesota and North Dakota (“LIUNA”) appreciates the opportunity to respond to the petition for reconsideration filed by Enbridge Pipelines (“Enbridge”) in response to the Minnesota Public Utility Commission’s May 6, 2026 Order requiring Enbridge to complete an Environmental Assessment Worksheet (“EAW”) before using drag reducing agents to increase throughput on the Southern Lights pipeline. LIUNA agrees with Enbridge that the Commission lacks authority to require that the line be recertified and an EAW be prepared based on the record evidence concerning the proposed operational changes, and we respectfully request that the Commission reconsider its decision.

Minnesota law requires that a Certificate of Need (“CN”) be issued prior to construction of large pipelines, but following issuance of a CN and completion of a project, jurisdiction over the operation of such pipelines is primarily governed by Federal law and implemented through the Pipeline and Hazardous Materials Safety Administration. In this case, Enbridge is not proposing any new construction in Minnesota, and proposed changes would merely use technological advances to improve operational efficiencies, not change the function of the pipeline as it was originally approved by the Commission.

Commissioners are well aware that transmission infrastructure constraints are negatively impacting Minnesotans by increasing the cost of electricity, natural gas and liquid fuels. In response, this Commission has directed entities it regulates to pursue all available options to increase throughput, for example by using Grid Enhancing Technologies to increase throughput on existing transmission lines. While the Commission lacks authority to order Enbridge to pursue opportunities to increase throughput on existing pipelines, as it has done with electric utilities, Commissioners can nonetheless do its part by electing not to create additional hurdles that are unsupported under state law.

We thank the Commission for its consideration and urge Commissioners to reconsider.

Dated: June 5, 2026

Respectfully Submitted,
LIUNA Minnesota & North Dakota

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