



**LABORERS DISTRICT COUNCIL
MINNESOTA AND NORTH DAKOTA**

Affiliated with Laborers International Union
of North America

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TODD T. PUFAHL
President & Business Manager

LiUNA!

April 28, 2015

Via E-Docket Filing

Dan Wolf
Executive Secretary
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul, MN 55101

**RE: In the Matter of the Application of North Dakota Pipeline Company LLC for a
Certificate of Need for the Sandpiper Pipeline Project in Minnesota**

MPUC Docket No. PL-6668/CN-13-473; OAH Docket No. 8-2500-31260

Dear Mr. Wolf:

Enclosed please find the Laborers District Council of Minnesota and North Dakota's
Exception to the ALJ's report which was efiled today through
www.edockets.state.mn.us.

Please let me know if you have any questions regarding this filing.

Sincerely,

Kevin Pranis

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

121 Seventh Place East, Suite 350

St. Paul, MN 55101

Beverly Jones Heydinger	Chair
Nancy Lange	Commissioner
Dan Lipschultz	Commissioner
John Tuma	Commissioner
Betsy Wergin	Commissioner

In the Matter of the Application Of North
Dakota Pipeline Company For A Certificate
of Need For The Sandpiper Pipeline Project

MPUC DOCKET No. PL6668/CN-13-473

OAH DOCKET No. 8-2500-31260

LABORERS DISTRICT COUNCIL OF MINNESOTA & NORTH DAKOTA ALJ REPORT EXCEPTIONS

April 28, 2015

The Laborers District Council of Minnesota and North Dakota (Laborers Union) supports the conclusions and recommendations set forth in Judge Lipman's Findings of Fact, Summary of Public Testimony, Conclusions of Law, and Recommendation ("Report"), and take no exception to its contents. Judge Lipman has done yeoman's work, first presiding over the hearing process, and then sifting through the voluminous record to assess the facts and identify the best way forward.

It should be clear to anyone who reads the report that Judge Lipman has carefully considered and weighed each document, public comment, and page of testimony submitted into the record. As a party that is new to Public Utilities Commission (PUC) proceedings and not represented by expert counsel, and as an organization whose members more accustomed to working with their hands than speaking at public hearings, we particularly appreciate Judge Lipman's respectful treatment of all the participants, both for and against.

While passionate arguments have been made on both sides of the issue, Judge Lipman's review of the record shows that the evidence overwhelmingly favors granting a Certificate of Need for the Sandpiper Pipeline as proposed by NDPC. The record clearly supports the four cornerstones of need as outlined in the report:

- Denial of the certificate will adversely impact not only the applicant, committed and uncommitted shippers, and most importantly Minnesota residents who would be subjected to the mounting costs and hazards associated with overreliance on crude rail shipments, and who would forego the economic benefits and greater reliability the pipeline could provide.

- The preponderance of the evidence on the record clearly favors the project as proposed, first, because the evidence does not support the viability of the so-called “system alternatives”; and second, because there is no evidence that the risk or the harm of a spill would be lessened by adopting the alternatives. On the contrary, as Judge Lipman observes, the system alternatives are likely infeasible, make poorer use of existing infrastructure, and could increase the risk of a harmful spill by requiring increased pressure cycling and construction in more densely populated areas.
- The consequences of granting a certificate are much more favorable than the consequences of denial. The record clearly shows that the project will create thousands of good jobs; generate tens of millions of dollars in tax revenue and billions of dollars in economic activity; benefit consumers by enhancing the reliability of crude oil deliveries to Minnesota and other Midwest refineries; and substantially lessen rail congestion and safety hazards; and *reduce* the net environmental impact of crude oil movement across our state.
- The record provides no reason to believe that the design, construction, or operation of the facility will fail to comply with relevant public policies, rules and regulations.

For these reasons, the Laborers Union urges the PUC to adopt Judge Lipman’s report without exception and grant the requested Certificate of Need.