

OAH 60-2500-31259  
OAH 60-2500-31260  
MPUC PL-6668 / CN-13-473  
MPUC PL-6668 / PPL-13-474

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

In the Matter of the Application of Enbridge  
Pipelines (North Dakota) LLC for a  
Certificate of Need for the Sandpiper  
Pipeline Project in Minnesota

**ORDER SUSPENDING CONTESTED  
CASE PROCEEDING AND  
CERTIFYING ISSUES TO THE  
COMMISSION**

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

TO: All Persons on the Attached Service List

These dockets are currently pending before Administrative Law Judge James E. LaFave.

On September 1, 2016, the North Dakota Pipeline Company, L.L.C., (NDPC) filed a Petition to Withdraw Certificate of Need and Pipeline Routing Permit Applications (Petition), Motion to Suspend Contested Case and Certify Issues (Motion), and Notice to Terminate Environmental Impact Statement Preparation.<sup>1</sup>

There were no objections filed to the Petition or the Motion. The only comment filed was on behalf of the Erie-Bourdeaux Revocable Family Trust and Donna J. Anderson Trust (The Trusts).<sup>2</sup> The Trusts note that the Clearbrook-Clearbrook West 115 kV transmission project and the Menahga 115 kV transmission project were both planned to power Sandpiper pumping stations; therefore, the Trusts request the transmission projects also be withdrawn.

The record on the Petition and the Motion closed on September 16, 2016.

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<sup>1</sup> Petition to Withdraw Certificate of Need and Pipeline Routing Permit Applications, Motion to Suspend Contested Case and Certify Issues, and Notice to Terminate Environmental Impact Statement Preparation (Sept. 1, 2016) (eDocket No. 20169-124579-01).

<sup>2</sup> Comments of Erie-Bourdeaux Revocable Family Trust and Donna J. Anderson Trust (Sept. 12, 2016) (eDocket No. 20169-124809-05).


Based upon the submissions of the parties, and upon all of the files in the record,

**IT IS HEREBY ORDERED THAT:**

NDPC's Motion to Suspend Contested Case is **GRANTED**. Proceedings on the certificate of need and route permit applications are **SUSPENDED** until the Minnesota Public Utilities Commission has made a decision on NDPC's Petition to Withdraw Certificate of Need and Pipeline Routing Permit Applications.

The Petition is **CERTIFIED** to the Commission for its review, based on Minn. R. 1400.7600 (B)(2015) which allows an administrative law judge to certify a motion to an agency when the agency's final determination on the motion "would materially advance the ultimate termination of the hearing."<sup>3</sup>

Dated: September 29, 2016

  
\_\_\_\_\_  
JAMES E. LAFAVE  
Administrative Law Judge

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<sup>3</sup> Minn. R. 1400.7600(B).

September 29, 2016

See Attached Service List

**Re: In the Matter of the Application of North Dakota Pipeline Co., LLC for  
a Pipeline Routing Permit for the Sandpiper Pipeline Project in  
Minnesota**

**OAH 60-2500-31259**

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**MPUC PL-6668 / CN-13-473**

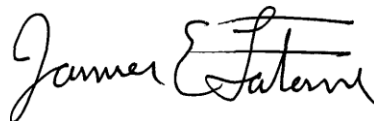
**MPUC PL-6668 / PPL-13-474**

To All Persons on the Attached Service List:

Enclosed and served upon you is the Administrative Law Judge's **ORDER  
SUSPENDING CONTESTED CASE PROCEEDING AND CERTIFYING ISSUES TO  
THE COMMISSION** in the above-entitled matter.

If you have any questions, please contact my legal assistant Denyse Johnson at  
(651) 361-7888 or [denyse.johnson@state.mn.us](mailto:denyse.johnson@state.mn.us), or facsimile at (651) 539-0310.

Sincerely,



JAMES E. LAFAVE  
Administrative Law Judge

JEL:dj

Enclosure

cc: Docket Coordinator

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS  
PO BOX 64620  
600 NORTH ROBERT STREET  
ST. PAUL, MINNESOTA 55164

**CERTIFICATE OF SERVICE**

In the Matter of the Application of North Dakota Pipeline Co., LLC for a Pipeline Routing Permit for the Sandpiper Pipeline Project in Minnesota	OAH 60-2500-31259 OAH 60-2500-31260 MPUC PL-6668/CN-13-473 MPUC PL-6668 / PPL-13-474
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Denyse Johnson, certifies that on September 29, 2016 she served the true and correct **ORDER SUSPENDING CONTESTED CASE PROCEEDING AND CERTIFYING ISSUES TO THE COMMISSION** by eService, and U.S. Mail, (in the manner indicated below) to the following individuals:

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret
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