

**STATE OF MINNESOTA
PUBLIC UTILITIES COMMISSION**

Katie Sieben	Chair
Valerie Means	Commissioner
Matthew Schuenger	Commissioner
Joseph K. Sullivan	Commissioner
John A. Tuma	Commissioner

**In the Matters of the Applications of
Enbridge Energy, LP for a Certificate of
Need and Pipeline Routing Permit for
the Line 3 Replacement Project in
Minnesota from the North Dakota
Border to the Wisconsin Border**

**Docket Nos. PL-9/CN-14-916,
PL-9/PPL-15-137**

**UNITED ASSOCIATION ANSWER TO PETITION FOR RECONSIDERATION OF
ORDER DENYING MOTION FOR STAY PENDING APPEAL OF THE RED LAKE
BAND OF CHIPPEWA AND THE WHITE EARTH BAND OF OJIBWE**

The United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada, AFL-CIO (“UA”) respectfully submits this Answer to the Petition for Reconsideration of Order Denying Motion for Stay Pending Appeal of the Red Lake Band of Chippewa and the White Earth Band of Ojibwe (“Petition for Reconsideration” or “Petition”). The Petition for Reconsideration does not establish that the Commission’s decision to deny the stay originally requested was unlawful or unreasonable.¹ To the contrary, the UA believes that the Commission correctly balanced the harms associated with granting or denying the stay and came to the correct conclusion in denying it.

The Petition for Reconsideration claims that the UA and LIUNA’s “claim of economic harm to their members...is to be expected because the unions [sic] mission is to advance the economic interests of their members and not the public interest.”² The Petition goes on to assert,

¹ MINN. STAT. ANN. §§ 216B.27 (subd. 3), 216B.56.

² Petition for Reconsideration at 30.

without explanation, that the union workforce “do not represent the public” and that the harms they would experience as a result of construction of the Line 3 Replacement “are not irreparable....”³ Other than being cold and callous, this view of the harms that would befall union members if construction were to be stayed directly conflicts with the Commission’s consistent findings that the thousands of construction jobs being created by the Project in Minnesota and corresponding local economic stimulus serve the public interest. As the Commission recognized in its Order Denying Stay Pending Appeal, Governor Waltz’ executive orders related to the COVID-19 pandemic also categorize petroleum pipeline construction in general as a “Critical Sector that should continue to operate throughout the pandemic.”⁴

Furthermore, as explained in its Response to Motion for Stay of the Line 3 Replacement Project Final Orders of the Red Lake Band of Chippewa and White Earth Band of Ojibwe (“UA Response”), the result of a stay would not be a simple loss of easily replaced jobs for union workers. Instead, a stay at this late date would cause thousands of construction workers, who are already at work in Minnesota, to forfeit substantial investments in preparing for the Project with many left jobless and far from home.⁵ The UA finds it inconceivable that this result—compared to the thousands of robust, year-long union construction jobs created by the Project—would not be detrimental to the public interest.

For the reasons set forth above, and for all the reasons discussed in its Response to the original Motion for Stay, the UA respectfully requests that the Commission deny the Petition to Reconsider its December 9, 2020 Order.

³ *Id.*

⁴ See Minn. Emergency Exec. Order No. 20-48 at 9 (April 30, 2020) https://mn.gov/governor/assets/EO%2020-48%20Final_tcm1055-430499.pdf.

⁵ See UA Response at 2-3, 5-9.

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Respectfully submitted,

/s/ Anna Friedlander

Ellen O. Boardman
Anna Friedlander
O'DONOGHUE & O'DONOGHUE LLP
5301 Wisconsin Ave, NW
Suite 800
Washington, DC 20015
Phone: (202) 362-0041
Fax: (202) 362-2640

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