MPIRG-Minnesota Public Interest Research Group

1313 Fifth Street SE, Suite 111

Minneapolis, MN 55414 Phone: 612-627-4035

Fax: 612-627-4050 info@moirg.org

info@mpirg.org www.mpirg.org





Fax

To: 130	irl Hz	Pro	millick	KEENER	
Fax:	1-297-	7073 Pag	es including cover	page:	
Phone:		Date	3: 		
Re: MA	x Dak#9	-5/PPL-05-36	3		
Urgent	☐ For Review	☐ Please Comment	□ Please Rep	ly ☐ Please Recycle	

Motion to Intervene.

BEFORE THE MINNESOTA OFFICE OF ADMINISTRATIVE HEARINGS

100 Washington Square, Suite 1700 Minneapolis, Minnesota 55401-2138

FOR THE PUBLIC UTILITIES COMMISSION

121 Seventh Place East Suite 350 St. Paul. Minnesota 55101-2147

In the Matter of the Application of Minnesota Pipe Line Company for a Routing Permit for a Crude Oil Pipeline MPUC Docket No. PL-5/PPL-05-2003
OAH Docket No. 15-2500-17136-2
PETITION TO INTERVENE OF THE
MINNESOTA PUBLIC INTEREST
RESEARCH GROUP

THE MINNESOTA PUBLIC INTEREST RESEARCH GROUP ("MPIRG") hereby petitions to intervene in the above proceeding pursuant to Minn. Rules 1400.6200 and Minn. Rules 1400.5100 as follows:

- 1.MPIRG is a grassroots, student-directed, non-partisan organization. MPIRG's the largest organization in the state that works with students and members of the community to increase their effectiveness in the public policy arena, building skills such as strategic planning, coalition building, grassroots organizing, and advocacy. MPIRG is based out of Minneapolis and represents nine campuses across the State of Minnesota. The following property owners are directly affected by the Minnesota Pipeline Company's proposed crude oil pipeline: Minnesota Public Research Group, Russell and Judy Martin, Ray and Sharon Neubauer, Dianne Staricka, Joyce Osborn, and Roger and Joyce Tupy.
- 2. The Minnesota Pipe Line Company ("MPL") filed an application for a certificate of need with the Public Utilities Commission on January 3, 2006 and filed an application for a routing permit for a crude oil pipeline with the Public Utilities Commission on January 5, 2006. In its Order dated February 16, 2006, the Public Utilities Commission referred both matters to the Office of Administrative Hearings ("OAH") for a contested case proceeding to address all material facts in dispute in both applications. OAH set various dates for public hearings on this matter and has allowed the intervention of subsequent parties. See, Second Prehearing Order of June 7, 2006. This matter is now set for a public hearing on September 15, 2006, in St. Paul.

- 3.MPL's proposed crude oil pipeline has an initial design capacity of 165,000 barrels of petroleum crude oil per day, with an ultimate capacity of 350,000 barrels per day if additional pumping stations are installed. The pipeline will operate at a maximum pressure of 1,462 pounds per square inch and will cross almost 300 miles of Minnesota forest, wetland, agricultural and prime land for development, compromising environmental quality, current land use (farming practices, personal and recreational use) as well as future land use and value. The proposed certificate of need and routing of the MPL pipeline would have a direct and substantial adverse impact on the citizens of the state and MPIRG, Russell and Judy Martin, Dianne Staricka, Joyce Osborn, and Roger and Joyce Tupy.
- 4.MPIRG and the above named property owners have grave concern over the safety record of Minnesota Pipeline Company, Koch Pipeline Company and Koch Industries affiliates. We request that a formal Environmental Impact Statement be developed by MPL for this project.
- 5.Furthermore, the citizens of Minnesota have not had a party representing an opposing view to the MinnCan Project. Access to information has been limited due to a lack of publicity of the project and unwillingness of the DOC/PUC members to clearly communicate with the public. Citizens not represented by counsel can be confounded by various State statutes governing the permit process and therefore are left out of the process. The DOC is on record stating that MinnCan Project would not get "...a particularly rigorous exam,...will give the project less scrutiny,...because a private company is putting their capital at risk...." (St Paul Pioneer Press, 2-5-.06, p. 7D). Many citizen shave been only recently notified of the pipeline crossing their land, limiting their participation.
- 6.MPIRG seek to intervene in the pipeline certificate of need and routing procedure herein in the name of the above property owners, on the grounds that the certificate of need and routing of MPL's crude oil pipeline as proposed would have a direct, substantial and potentially irreparable impact upon their property, its ecological and agricultural resources, and its future development. MPIRG's intervention is proposed to ensure that if a Certificate of Need is issued for the MPL pipeline: (i) a route is selected that does not cross and impair the use and development of the above property owners land, (ii) the right-of-way preparation, construction, operation, maintenance and restoration practices identified by MPL in their Environmental Assessment Supplement and Organic Agricultural Impact Mitigation Plan are employed so that they provide appropriate protection for all wetland and farm land, and, (iii) a comprehensive woodland mitigation program be developed.

7.MPIRG and the listed property owners are located in Minnesota at the addresses below.
All correspondence, papers and pleadings served in this proceeding should be addressed to MPIRG. Phone, fax and electronic mail contacts are further specified in the Notice of Appearance filed with this Petition.

WHEREFORE, MPIRG asks for leave to intervene in this proceeding, with all of the rights of a party as provided in Minn. Rule. 1400.6200.

Date: September 14, 2006

Respectfully submitted, MPIRG 1313 - 5 St. SE, Suite 111 Minneapolis, MN 55414 612-627-4035

Ray and Sharon Neubauer 11530 270th St East Elko, MN 55020 952-461-2696

Russell and Judy Martin 11600 270th St. Elko, Mn 55020 952-461-3352

Diane Staricka 3281 70th St. Swanville, Mn 56382 320-573-2447

Joyce Osborn 14916 Sharon Lane Burnsville, Mn 55306 952-435-5984

Roger and Joyce Tupy 26445 Langford Ave. New Prague, Mn 56071 952-758-3757