



Northern Natural Gas
P.O. Box 3330
Omaha, NE 68103-0330
402 398-7200

February 29, 2024

RE: Northern Natural Gas
Northern Lights 2025 Expansion
Docket No. CP24 -60-000

Dear Sir or Madam:

Northern Natural Gas (Northern) owns, and operates an interstate natural gas pipeline system and is regulated by the Federal Energy Regulatory Commission (FERC). On February 16, 2024, Northern filed an application with FERC in Docket No. CP24-60-000 requesting authorization to construct and operate (1) a 3.00-mile extension of its 36-inch-diameter Lake Mills to Albert Lea E-line in Freeborn County, Minnesota (MN); (2) a 2.43-mile extension of its 30-inch-diameter Elk River 3rd branch line in Washington County, MN; (3) a non-contiguous 1.91-mile extension of its 30-inch-diameter Farmington to Hugo C-line in Washington County, MN; (4) a 1.28-mile extension of its 8-inch-diameter Tomah branch line loop in Monroe County, Wisconsin (WI); and (5) minor modifications to its existing La Crescent compressor station in Houston County, MN. Pipeline installation will include aboveground appurtenant facilities consisting of a launcher, receiver and/or tie-over valve settings.

Northern must obtain FERC approval to construct and operate the proposed facilities. Northern requested issuance of an order approving the project by December 19, 2024. Pending approval of the project, Northern plans to commence construction spring 2025, with an in-service date for all project components by November 1, 2025.

Northern will utilize a 75-, 90-, or 100-foot-wide temporary workspace to accommodate installation of the pipelines. The pipelines will be installed parallel to existing pipelines wherever possible. Various sizes of extra temporary workspace, staging areas, and new or to be improved temporary access roads will be utilized for the proposed project. Northern will utilize existing easements where practicable; Northern will work with landowners to obtain permanent pipeline, facility and access easements as well as temporary workspace.

This letter has been sent to you because you have been identified as a potential stakeholder, by virtue of being an affected landowner, a public official in the project area, or a representative of a permitting or interested agency.

Enclosed are five pieces of information that you will find useful. The first are general location site maps for each of the project components. The second is a pamphlet prepared by FERC entitled, *An Interstate Natural Gas Facility on My Land? What Do I Need to Know?* The pamphlet explains the certificate approval process at FERC. It also addresses how the location of a pipeline or other facility is decided and the rights of property owners. The third item is a copy of FERC's notice of Northern's application. This notice provides information on how to intervene or participate in the FERC's proceeding. Motions to intervene must be filed in writing to FERC's Secretary, 888 First Street NE, Washington, D.C., 20406. The fourth item is the Summary of Landowner Rights Under Minnesota and Wisconsin "Eminent Domain" Statutes. The fifth item is Northern's Environmental Complaint Resolution process that landowners can use to raise concerns.

Information regarding the proposed project can be found on Northern's website at <https://www.northernnaturalgas.com/expansionprojects/Pages/Northern-Lights-2025.aspx>. Northern will continue to keep affected stakeholders apprised of the project's status through this website. Should you have any questions regarding this letter, please feel free to contact Northern at 1-888-367-6671. If you call, please tell the operator that you are calling about the Northern Lights 2025 expansion project. Alternatively, you may email us at: NorthernLights2025@nngco.com. A copy of Northern's application (public information) has been mailed to the following libraries and is available for viewing:

Hardwood Creek Library
19955 Forest Rd. N.
Forest Lake, MN 55025

Elk River Public Library
13020 Orono Parkway
Elk River, MN 55330

Sparta Free Library
124 W. Main Street
Sparta, WI 54656

Albert Lea Public Library
211 E. Clark Street
Albert Lea, MN 56007

La Cresent Public Library
321 Main Street
La Cresent, MN 55947

Northern's application also may be viewed through FERC's website at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number CP24-60-000 in the docket number field to access the document. User assistance is available by email at FERCOnlineSupport@ferc.gov or toll free at 866-208-3676 (TTY, call 202-502-8659). Additional information regarding FERC's regulations, policies or

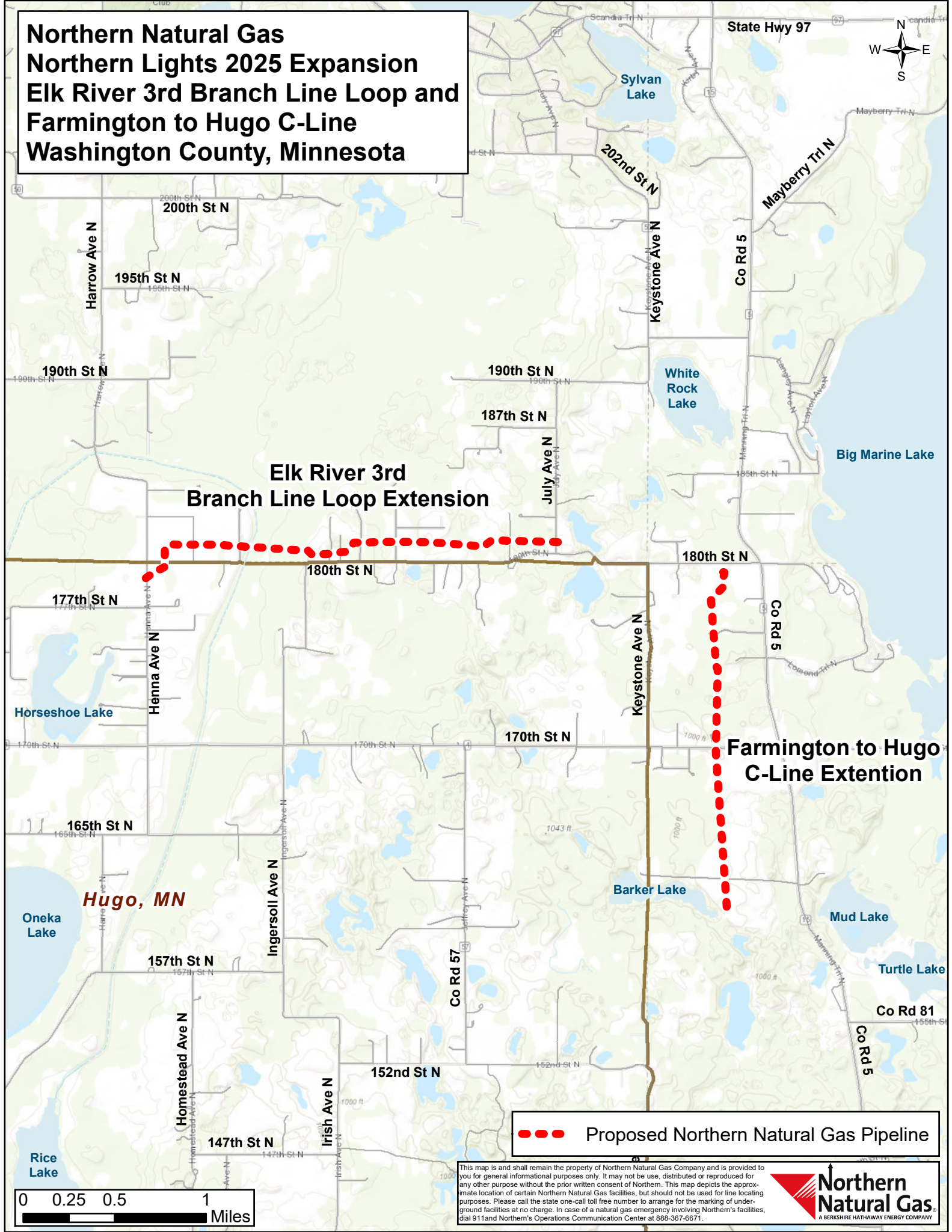
procedures is available on FERC's website at <http://www.ferc.gov> or from FERC's Office of External Affairs at 866-208-3372.

Respectfully yours,

A handwritten signature in blue ink, appearing to read "B. Kruger", is centered below the closing. The signature is fluid and cursive.

Bryan P. Kruger
Director-Right of Way

Northern Natural Gas Northern Lights 2025 Expansion Elk River 3rd Branch Line Loop and Farmington to Hugo C-Line Washington County, Minnesota

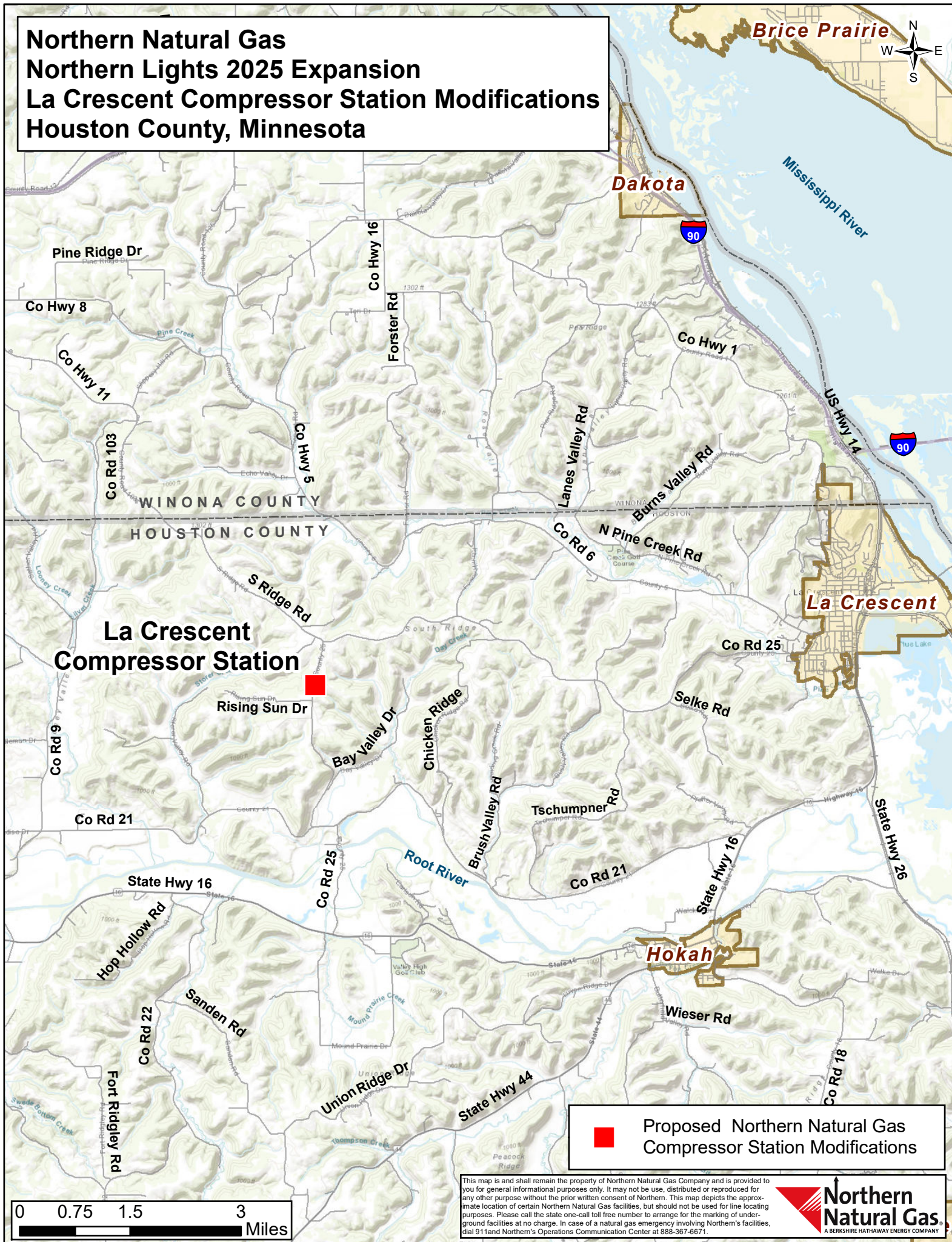


Proposed Northern Natural Gas Pipeline

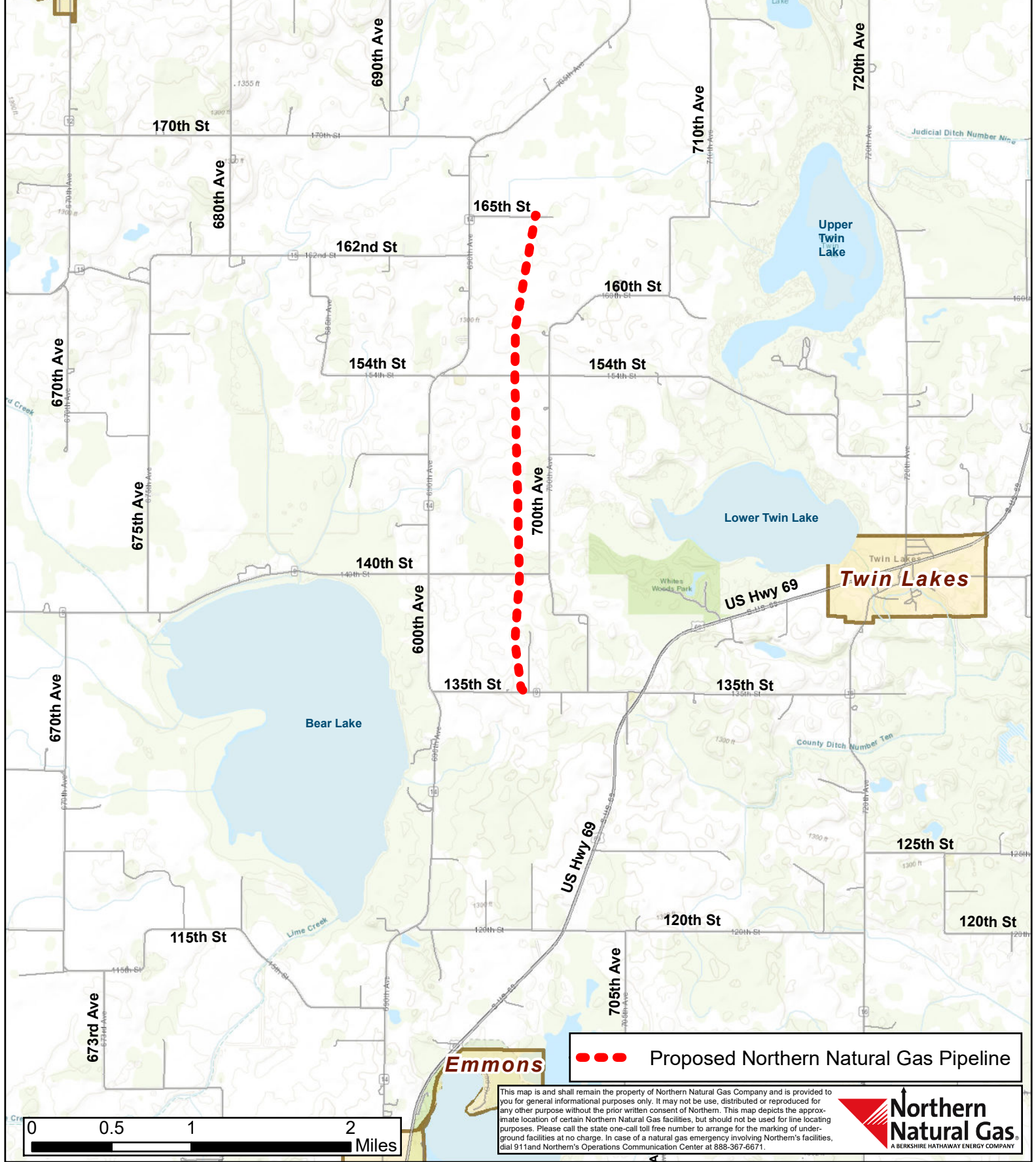
This map is and shall remain the property of Northern Natural Gas Company and is provided to you for general informational purposes only. It may not be used, distributed or reproduced for any other purpose without the prior written consent of Northern. This map depicts the approximate location of certain Northern Natural Gas facilities, but should not be used for line locating purposes. Please call the state one-call toll free number to arrange for the marking of underground facilities at no charge. In case of a natural gas emergency involving Northern's facilities, dial 911 and Northern's Operations Communication Center at 888-367-6671.



**Northern Natural Gas
Northern Lights 2025 Expansion
La Crescent Compressor Station Modifications
Houston County, Minnesota**



Conger



Proposed Northern Natural Gas Pipeline

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Northern Natural Gas Northern Lights 2025 Expansion Tomah Branch Line Loop Extension Monroe County, Wisconsin

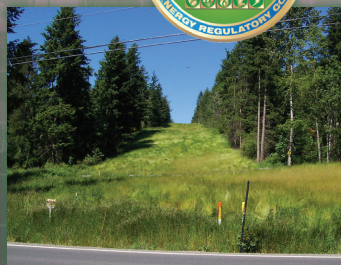


AN INTERSTATE NATURAL GAS FACILITY ON MY LAND?

WHAT DO I NEED TO KNOW?



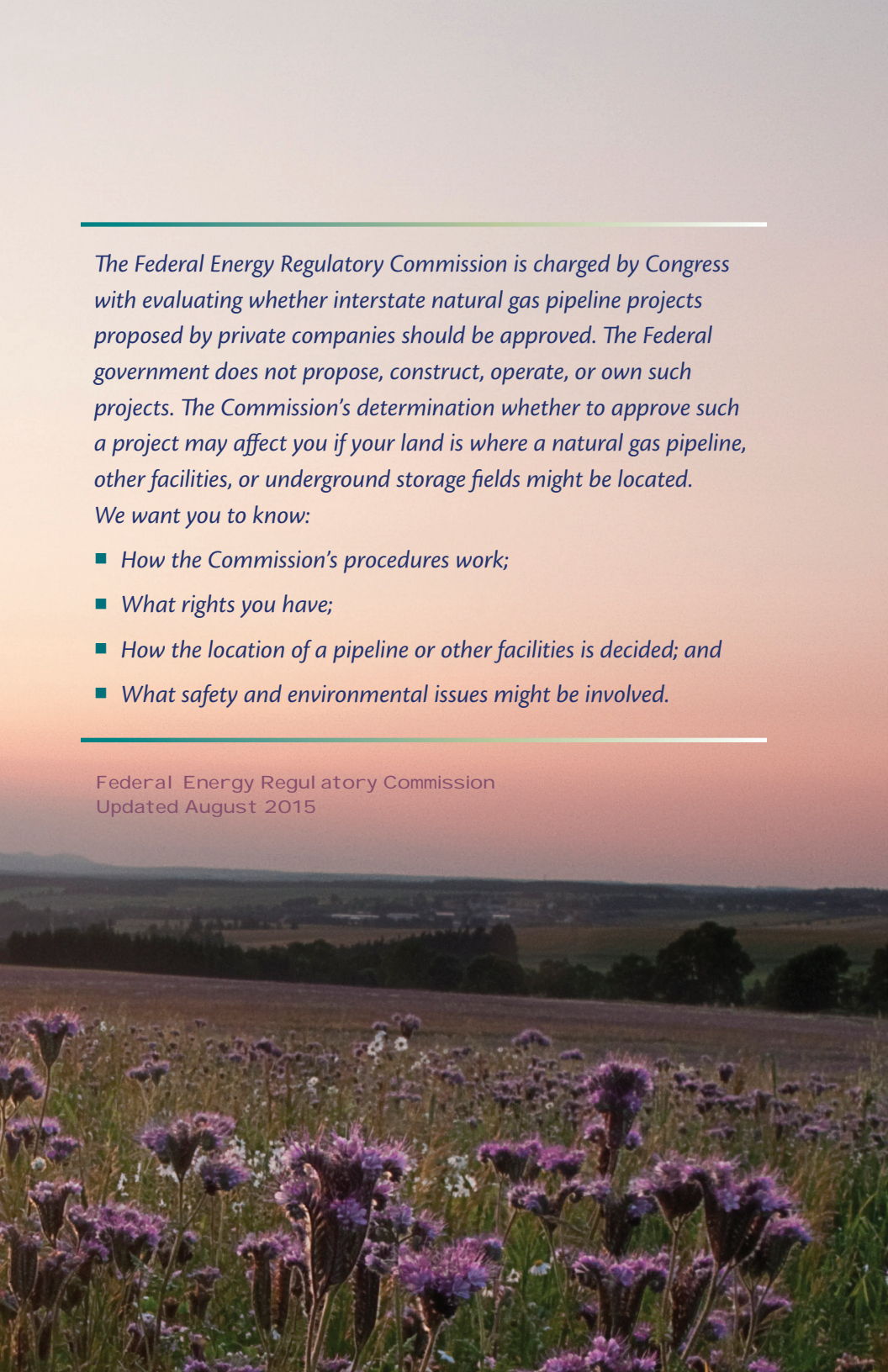
Federal Energy Regulatory Commission



AN INTERSTATE NATURAL GAS
FACILITY ON MY LAND?

WHAT DO I
NEED TO KNOW?



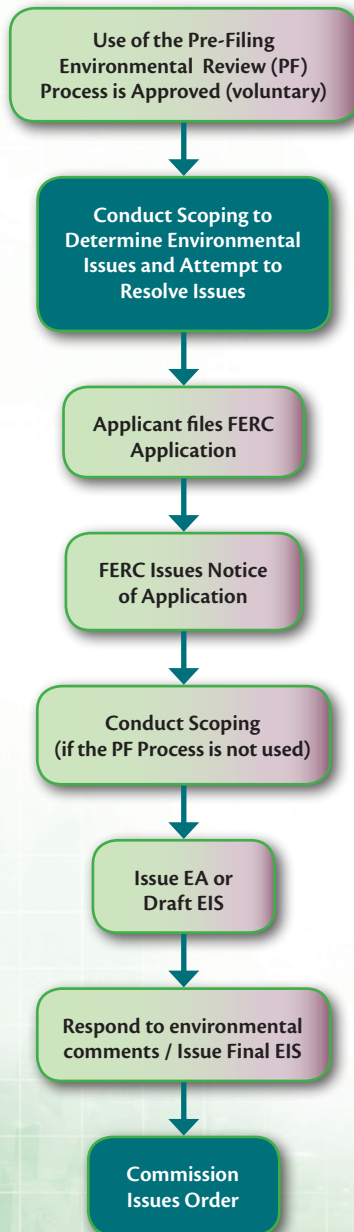


The Federal Energy Regulatory Commission is charged by Congress with evaluating whether interstate natural gas pipeline projects proposed by private companies should be approved. The Federal government does not propose, construct, operate, or own such projects. The Commission's determination whether to approve such a project may affect you if your land is where a natural gas pipeline, other facilities, or underground storage fields might be located. We want you to know:

- *How the Commission's procedures work;*
 - *What rights you have;*
 - *How the location of a pipeline or other facilities is decided; and*
 - *What safety and environmental issues might be involved.*
-

Federal Energy Regulatory Commission
Updated August 2015

PROCESS FOR NATURAL GAS CERTIFICATES



CONTENTS

Background.....	4
How the Process Begins.....	5
Key Issues Involving Location of the Project	8
Pipeline Installation Sequence	11
Pipeline Construction.....	12
Abandonment.....	14
Storage Fields	15
LNG Facilities.....	20
Compressor Stations.....	20
The Responsibilities of Gas Companies.....	22
Important Safety Issues.....	25
Further Environmental Issues.....	26
Additional Information.....	27
Glossary of Terms.....	28

BACKGROUND

The Commission approves the location, construction and operation of interstate pipelines, facilities and storage fields involved in moving natural gas across state boundaries. The Commission also approves the abandonment of these facilities.

Interstate pipelines crisscross the United States, moving nearly a quarter of the nation's energy long distances to markets in the 48 contiguous states, and are vital to the economy. Although pipelines generally are buried underground, they may have associated facilities that are above-ground such as taps, valves, metering stations, interconnection, pig launchers, pig receivers, or compressor stations. A natural gas storage field includes subsurface gas storage rights and there may be storage field pipelines and gas wells associated with the storage rights. A Pipeline Glossary is provided at the end of this brochure to help you understand some of the technical terms that are associated with pipeline construction and above-ground facilities.

If a proposed pipeline route is on, or abuts your land, you will probably first learn of this from the natural gas company as it plans and studies the route during either the Commission's voluntary Pre-filing Process or in the application development process. Once a company files an application requesting the Commission to issue a certificate authorizing the construction of a pipeline project, the company will mail you a copy of this brochure and other information within three days of the Commission issuing a Notice of Application. The Commission's staff will prepare an environmental study of the proposal; either an Environmental Impact Statement or an Environmental Assessment, depending on the scope of the project. For major construction projects, local media may be notified and public meetings may be held. You will have an opportunity to express your views and to have them considered. You will also have the opportunity to learn the views of other interested parties. The Commission may approve the project, with or without modifications, or reject it. If it is approved and you fail to reach an easement agreement with the company, access to and compensation for use of your land will be determined by a court.

Understandably, the location of pipelines and other facilities may be of concern to landowners. The Commission's process for assessing pipeline applications is open and public, and designed to keep all parties informed.

What Do I Need to Know?

This brochure generally explains the Commission's certificate process and addresses some of the basic concerns of landowners. The Commission's Office of External Affairs at 1-866-208-3372 will be happy to answer any further questions about the procedures involved.

HOW THE PROCESS BEGINS

Q: How will I first hear about proposed facility construction?

A: If you are located in the vicinity of the project you may first learn of it through newspaper notices. If you are an owner of property that may be affected by the project, you will probably first hear of it from the natural gas company as it collects the environmental information or conducts surveys required for the Commission application. The company may ask you for permission to access your land to conduct civil and environmental surveys. It is also possible that the company will contact you to discuss obtaining an easement prior to filing the application. In the case of a compressor station or other above-ground facility, the company will often offer to purchase, or obtain an option to purchase, the property for the station or facility. This usually occurs prior to the filing of the application.

For a storage field, rights on certain parcels of land may only involve subsurface storage rights. The company will also notify you of the filing of the application with the Commission.

Q: How can I obtain more details about the company's application?

A: A copy of the company's application can be obtained from the company, although the company is not obligated to provide voluminous material or material that is difficult to reproduce. You may also obtain a copy for a nominal copying charge from the Commission's Public Reference Room. Call 202-502-8371 for details. The application may also be obtained through the Commission's Web site, www.ferc.gov, using the "eLibrary" link and the project's docket number. User assistance is available at 1-866-208-3676. Within three days of assignment of a docket number, the application will also be available in at least one location in each county in which the facility is located.

Note that in some cases you will not be able to view or print copies of large-scale maps or similar information about the location of the project from the

Commission's Web site. However, the Web site will provide instructions for obtaining the material.

Q: How do I make my views known?

A: You may contact the natural gas company through the contact person listed in the notification letter you receive from the company.

There are two ways to make your views known to the Commission: first, if you want the Commission to consider your views on the various environmental issues involved in the location of the facility, you can do so by simply writing a letter. When submitting a letter to the Secretary of the Commission, you should identify the project's docket number in order for the comment to be successfully entered into the record on the eLibrary system.

There are several steps in the Commission's environmental review process. The Commission affords you the opportunity to comment at various stages in this process. Details are available from the Commission's Office of External Affairs at 1-866-208-3372. Check the Commission's Web site for details on filing electronically. By filing comments, your views will be considered and addressed in the environmental documents or a final order. Additionally, you will be placed on a mailing list to receive environmental documents in the case. You can also use eRegistration and eSubscription (see www.ferc.gov) to keep track of individual proceedings at FERC. Users with an eRegistration account may subscribe to specific dockets and receive email notification when a document is added to eLibrary for the subscribed docket.

Q: What is an intervenor?

A: You may file to become what is known as an intervenor. You may obtain instructions on how to do this from the Office of External Affairs or on our Web site at <http://www.ferc.gov/resources/guides/how-to/intervene.asp>. Becoming an intervenor is not complicated and gives you official rights. As an intervenor, you will receive the applicant's filings and other Commission documents related to the case and materials filed by other interested parties. You will also be able to file briefs, appear at hearings and be heard by the courts if you choose to appeal the Commission's final ruling. **However, along with these rights come responsibilities. As an intervenor, you will be obligated to provide copies of what you file with the Commission to all the other parties at the time of filing by electronic means (direct attachment of the document to an e-mail or by referencing a link to the filed document in eLibrary) or**

What Do I Need to Know?

by mail. In major cases, there may be hundreds of parties. You may file to become an intervenor by sending a request to intervene by mail or overnight services to:

**Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, DC 20426**

We prefer that comments or requests for intervention be submitted electronically through the Commission's Web site (www.ferc.gov). If you submit comments or requests through eFiling or eComment, there is no need to send paper copies. However, if you submit a request for intervention through the mail, you should include 14 copies of your request.

You must normally file for intervenor status within 21 days of our notice of the application in the Federal Register, although the Commission may accept late intervention if good reasons are given. Visit the Federal Register at <http://www.gpoaccess.gov/fr/index.html>. You may also file for intervenor status for the purposes of addressing environmental issues during the comment period for a draft environmental impact statement.

Please note: "PF" dockets are assigned to projects that are in the pre-filing or planning stage. There is no provision for becoming an intervenor in PF dockets. However, once the pre-filing stage has been completed and an application has been filed, you may file for intervenor status.

CUSTOMER ASSISTANCE

For further assistance and public inquiries, please contact:

Office of External Affairs
1-202-502-8004 1-866-208-3372 (Toll-free)
customer@ferc.gov

For assistance with ferc.gov or eFiling, please contact:

FERC Online Technical Support
1-202-502-6652 1-866-208-3676 (Toll-free)
ferconlinesupport@ferc.gov

For materials and copying assistance, please contact:

Public Reference Room
1-202-502-8371 1-866-208-3676 (Toll-free)
public.reference.room@ferc.gov

YOUR PROJECT'S DOCKET NUMBER

KEY ISSUES INVOLVING LOCATION OF THE PROJECT

.....
Q: *How is the pipeline route, compressor station or storage field location selected?*
.....

A: The natural gas company proposes the route or location, which is then examined by the Commission. The company must study alternative routes or locations to avoid or minimize damage to the environment. The Commission, intervenors, or any commenter may also suggest alternatives and modifications to reduce the effects on buildings, fences, crops, water supplies, soil, vegetation, wildlife, air quality, noise, safety, landowner interests and more. The Commission staff's Alternatives analysis will consider whether the pipeline can be placed near or within an existing pipeline, power line, highway or railroad right-of-way. Storage fields are usually located in depleted oil or natural gas production fields or in salt deposits. Therefore, their location is fixed by geologic conditions. However, the facilities needed to develop and use a storage field can be moved to some extent.

.....
Q: *How do natural gas companies obtain a right-of-way?*
.....

A: The company negotiates a right-of-way easement and compensation for the easement with each landowner. Landowners may be paid for loss of certain uses of the land during and after construction, loss of any other resources, and any damage to property. If the Commission approves the project and no agreement with the landowner is reached, the company may acquire the easement under eminent domain (a right given to the company by statute to take private land for Commission-authorized use) with a court determining compensation.

.....
Q: *Who pays taxes on the right-of-way?*
.....

A: The landowner pays taxes on the right-of-way unless a local taxing authority grants relief. The company simply has an easement across a portion of the land.

.....
Q: *How large is the right-of-way and how is it maintained?*
.....

A: It is generally 75 to 100 feet wide during construction, although extra space is usually required at road or stream crossings or because of soil conditions.

What Do I Need to Know?

The permanent right-of-way is usually about 50 feet wide. Routine mowing or cutting of vegetation is done no more than once every three years. A ten-foot-wide corridor, centered on the pipeline, may be mowed or cut more frequently to facilitate periodic surveys and inspections. In cropland and residential areas the right-of-way is maintained by the landowner consistent with the presence of a pipeline.

Q: How large is a compressor station or storage field?

A: Usually the natural gas company purchases ten to forty acres for a compressor station, of which about five acres are actually used for construction. A storage field could encompass many hundreds or even thousands of acres, depending on the geologic structure. Storage fields also frequently include a buffer zone or protection area forming a halo of some hundreds of acres surrounding the storage field itself.



Compressor Station

Q: Must the company comply with local, county and state laws and zoning ordinances?

A: Generally, yes. If there is a conflict, however, between these requirements and what the Commission requires; the Commission requirement prevails.

Q: How close can I build to the facilities?

A: For a pipeline this depends on the terms of the easement agreement. But build is usually allowed up to the edge of the right-of-way.

For a compressor station, the site is usually owned by the company. If you own property adjacent to the site, you may build on it.

For storage fields, unless there are surface facilities or pipelines, you may build anywhere on the surface. If you or someone else wishes to drill wells which would penetrate the storage formation, you must coordinate that activity with the company, and usually the state authority regulating well drilling.

Q: What about bushes, trees, fences, driveways and so forth?

A: Trees with roots that may damage the pipeline or its coating and other obstructions that prevent observation from aircraft during maintenance are usually not allowed. Driveways and other improvements without foundations are normally allowed. All improvements are subject to the terms of the easement and are subject to negotiation as long as the pipeline maintenance and safety are not affected.

Q: How long will the right-of-way be there?

A: Part of it is temporary and will be restored immediately after construction. The permanent right-of-way will remain until the Commission determines it can be abandoned by the pipeline company. This can be 20 to 50 years or more.

Q: In general, will I still be able to use the right-of-way?

A: The easement agreement will specify restricted uses on or across the right-of-way and any types of uses for which the company's permission must be sought. The continuation of past agricultural uses and practices on or across the right-of-way would be permitted. Buildings and large trees are usually not allowed. Special uses or activities that might have an impact on pipeline design (such as planned logging roads or drain tiles) should be negotiated with the pipeline company to minimize future conflicts.

Q: To what depth would the pipeline be buried underground?

A: The depth of cover for natural gas pipelines is regulated by the Pipeline and Hazardous Materials Safety Administration, within the U.S. Department of Transportation. In normal soil conditions, the minimum required is 30-36 inches between the top of the pipeline and the land surface. Additional cover is provided at road and waterbody crossings, while less cover (a minimum of 18 inches) is required in consolidated rock. In special cases, the pipeline could be buried deeper (48 – 60 inches) where agricultural practices or other issues warrant additional cover.



Pipeline

Q: What if I have problems with erosion or other issues during restoration and/or maintenance of the right-of-way?

A: The landowner should first contact the natural gas company to address and resolve the issue. If the landowner is not satisfied that the problem has been adequately addressed, he or she can contact the Commission's Landowner Helpline at (877) 337-2237 or send an email to landownerhelp@ferc.gov.

PIPELINE INSTALLATION SEQUENCE

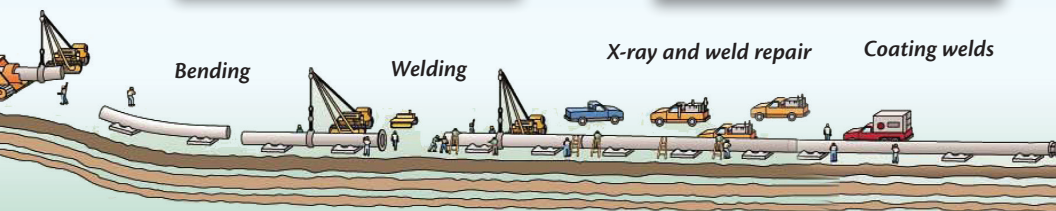
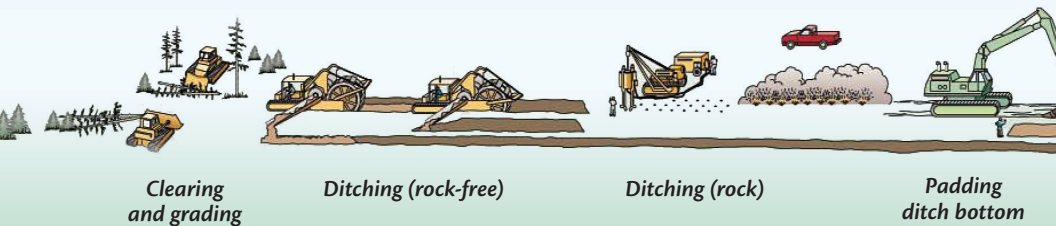
After a company has received authorization from FERC as well as all necessary permits, and has an easement on a property, construction would proceed as follows:

- 1)** The civil survey (and any uncompleted environmental surveys) would be completed and the construction right-of-way would be marked/staked for the clearing crew.
- 2)** The clearing crew would remove any trees or brush within the right-of-way that would interfere with construction.
- 3)** Temporary erosion control devices would be installed as required.
- 4)** Next, the right-of-way would be graded.
- 5)** Topsoil would be separated from subsoil in agricultural/residential areas (or in other areas requested during the easement negotiations).
- 6)** Heavy equipment, such as backhoes or trenching machines, would then dig the trench. In areas where bedrock is near the surface, blasting may be required.
- 7)** The pipe would be delivered to the right-of-way in segments (called joints).
- 8)** The pipe would be bent to fit the trench and welded together. All welds would be tested prior to placing the pipe in the trench.
- 9)** The trench would be back filled and if topsoil was removed it would be returned.
- 10)** Construction debris would be removed.
- 11)** The right-of-way would be regraded, seeded, and temporary and permanent erosion control devices would be installed.
- 12)** After the right-of-way has revegetated the temporary erosion control devices would be removed.
- 13)** Prior to gas flowing, the pipeline would be pressure tested (normally with water) to ensure it does not leak.

PIPELINE CONSTRUCTION

A graphic representation of the pipeline installation sequence.

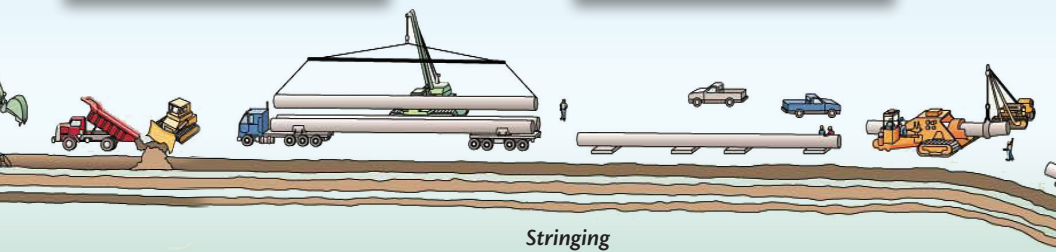
Moving assembly line (graphic not to scale)



Restoring residential area



Reseeding the right-of-way



continued below

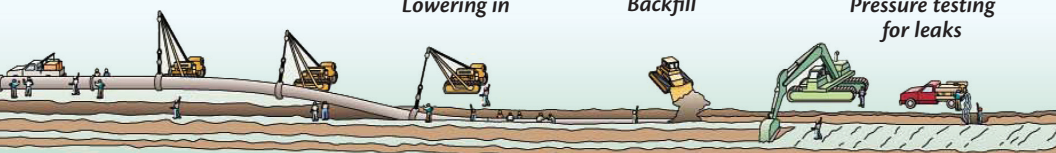


Inspection and repair of coating

Lowering in

Backfill

Pressure testing for leaks



Restored right-of-way

ABANDONMENT

.....
Q: *What is abandonment in place?*
.....

A: A pipeline company may request authorization for a pipeline to be “abandoned in place.” In this case, the pipeline is physically separated from its source of gas and is no longer maintained. The pipeline is sealed at both ends and left in the ground. A company may revert the easement back to the affected property owners; in certain cases where multiple pipelines exist in the same corridor, the company may continue to hold the easements and maintain the right-of-way according to its vegetation maintenance practices.

.....
Q: *Can the pipeline be used after abandonment?*
.....

A: In some cases a pipeline company may ask to abandon a pipeline for use as a natural gas transportation line, but reserve the right to convert that line to another use, such as the transportation of crude oil or other petroleum products. Easements agreements affected by conversion transactions may transfer to the new operator.

.....
Q: *If the pipeline is being abandoned will it be removed from my property?*
.....

A: The Commission may decide there are environmental or other conditions that should determine the disposition of the pipeline. If not, the easement agreement that you or previous owners of the land signed may stipulate whether the pipeline is to be removed. You may also come to some agreement with the company on what they will do with the pipeline. Usually, above-ground facilities are removed.

.....
Q: *If a company abandons a pipeline, can it keep an easement on my property?*
.....

A: It depends on the terms of the easement agreement and may be subject to negotiation between the landowner and the pipeline company. If there is more than one pipeline, the pipeline company will keep the easement.

Q: Will I be notified if abandonment is proposed?

A: You will probably be notified by the company if it proposes to relinquish the easement as part of the abandonment and the easement is not being transferred to another company. Otherwise, you may be notified by the Commission as part of the environmental analysis of the project.

STORAGE FIELDS

Q: What will happen to my property if a storage field is located beneath it?



Well drilling rig

A: Possibly nothing, since the storage field itself is usually thousands of feet beneath the ground surface. Wells are needed to inject and withdraw the stored natural gas or to monitor field conditions (observation wells). The wells require a surface site of roughly one acre for drilling and less than one tenth of an acre for the surface wellhead piping and other facilities.

If there are no facilities to be constructed on your property, the company will only need the storage rights to the geologic formation in which the natural gas would be stored. This is also the case for any property within any designated “buffer zone” or “protective area” around the actual storage field.

Q: Why is storage important?

A: Underground natural gas storage can be used to balance the load requirements of gas users. Storage fields are the warehouses that provide a ready supply of natural gas to serve the market during periods of high demand. For example, in the Midwest and the Mid-Atlantic regions, natural gas is primarily used during the winter because many homes are heated by natural gas. To accommodate this load profile, natural gas is injected into storage fields

during the warmer months (April - October), and withdrawn in the colder months (November - March). However, since the 1980s, most new power generation equipment has been fired by natural gas, which has created summer peaking requirements for natural gas to accommodate air conditioning loads in many areas of the country. Storage helps to meet peak demand requirements both in winter and in summer.

Q: *What types of facilities are associated with storage?*

A: Most natural gas storage facilities in the U.S. consist of underground formations, combined with above-ground equipment. These facilities include wells (injection/withdrawal and observation, water supply, water disposal), wellhead valve assemblies, gathering lines (field lines, headers), metering and compression facilities, dehydration units, generators or transformers, associated electric equipment, roads, sheds/buildings and pipeline pigging facilities. A list of natural gas facilities that fall under FERC jurisdiction is available on the agency's Web site at <http://www.ferc.gov/industries/gas/indus-act/storage/fields-by-owner.pdf>. Natural gas storage facilities that are owned and operated by natural gas distribution systems and used to deliver gas to their customers fall under the authority of state regulatory agencies.

Q: *Are there different types of underground storage fields?*

A: Most storage of natural gas takes advantage of natural geologic formations (reservoirs). There are three types of underground storage fields: (1) depleted oil and/or gas fields, (2) aquifers, and (3) salt caverns.

Depleted Oil and/or Gas Fields: Most of the natural gas storage in the United States consists of naturally-occurring oil or gas reservoirs that have been depleted through production. These consist of porous and permeable underground rock formations (usually 1,000 to 5,000 feet thick) that are confined by impermeable rock barriers and identified by a single natural pressure. Typically, this type of field has one injection/withdrawal cycle each year – gas is injected in summer and withdrawn in winter. This type of storage facility is normally used for long term or seasonal system supply, although in some instances it is used for peak day deliveries. These formations contain volumes of gas that are permanently stored in the field (called cushion or base gas) that help to maintain the underground pressure required to operate the field. Storage gas is then added to the field. In field storage the base gas is generally about 50% of the total reservoir capacity.

What Do I Need to Know?

Aquifer Storage Fields: This type of storage field uses a permeable rock formation containing water, called an “aquifer.” The nature of the water in the aquifer may vary from fresh water to saturated brine. An aquifer would have a high cushion gas requirement, generally between 50% and 80%, as the water in the portion of the reservoir being used for storage must be displaced constantly. They also have high deliverability rates but are limited to one injection/withdrawal cycle each year.

Salt Cavern Storage: This type of storage field uses caverns that are leached or mined out of underground salt deposits (salt domes or bedded salt formations). Salt caverns usually operate with about 20% to 30% cushion gas and the remaining capacity as working gas. Working gas can be recycled more than once per year (some up to 10 – 12 times per year), the injection and withdrawal rates being limited only by the capability of the surface facilities. Salt cavern storage has high deliverability and injection capabilities and is usually used for peak deliverability purposes, daily or even hourly. Most of the naturally-occurring salt caverns in the United States lie closer to the producer region—in Louisiana, Texas, and the Gulf Coast.

For more detailed information about natural gas storage, visit these Web sites:

- FERC Staff Report on Underground Natural Gas Storage
<http://www.ferc.gov/EventCalendar/Files/20041020081349-final-gs-report.pdf>
- EIA: Basics of Underground Natural Gas Storage
http://www.eia.doe.gov/pub/oil_gas/natural_gas/analysis_publications/storagebasics/storagebasics.html
- NaturalGas.org: Storage of Natural Gas
<http://www.naturalgas.org/naturalgas/storage.asp>
- The Energy Information Administration (EIA)
http://www.eia.doe.gov/oil_gas/natural_gas/info_glance/natural_gas.html

Q: How are storage field boundaries determined?

A: Boundaries are determined by the geologic characteristics of the formation in which the gas will be stored. Most also have buffer zones surrounding the portion of the reservoir to limit migration of the stored gas and to protect the integrity of the field.

Q: *Can companies use the ground under my property without paying for it? Am I required to sign an easement?*

A: A company that owns/operates a storage field cannot use the underground portion of storage facilities without either owning mineral rights or having some form of agreement with the owner of the mineral rights. Compensation for that use will come as a result of the property/mineral rights conveyed to the company by the current owner or attached to the deed from a previous property owner. Those property/mineral rights, depending on the facts of the particular situation, will most likely be in the form of a storage lease or an easement agreement.

A FERC certificate is not required in order for a company to negotiate the acquisition of a storage lease or easement. However, if FERC has issued a certificate approving the creation of a new storage field (or expansion of an existing field), that indicates that the agency has concluded that the storage field is needed and is in the public interest. In accordance with the Natural Gas Act (a law passed by the United States Congress in 1938), the FERC certificate gives the company the right to ask a state or federal court to award the needed property rights to the company where voluntary good faith negotiation has failed.

If the owner of the property/mineral rights and the company do not reach an agreement, the company can go to court to obtain the necessary rights through eminent domain. In such cases, the court will determine the amount that the company must pay to the owner of these rights. Similarly, if the storage field operations affect the surface property through construction of facilities or by reserving access rights, the company must also reach an agreement with the owner of the surface rights or go to court to obtain any necessary property rights through eminent domain. The court will determine the amount that the company must pay the owner of the surface rights. The state or federal court procedure is known as condemnation (or the exercise of eminent domain).

Q: *How far from my home can a storage facility be located? If the company is just using the area under my land, do they require access to my land?*

A: The storage reservoir itself is underground and does not require surface facilities on every property within the storage field boundaries. However,

What Do I Need to Know?



Underground storage

the company may need to construct and operate facilities on the surface, including injection and withdrawal wells to get the gas into and out of the subsurface rock formations, well lines that connect those wells to other pipelines in the storage field, compressor stations to pump the gas, and facilities that are used to clean and monitor the interior of certain underground pipelines. Where surface facilities are needed, the storage lease or easement agreements developed between the landowner and the storage facility operator usually indicate minimum spacing of the facilities with respect to existing structures, like your home.

In most cases, if the company does not have any surface facilities on your property, the company would not need access to your property. However, the company may need access to your land to check the integrity of a pipeline crossing your property or to monitor the effects of previously abandoned facilities (such as an old gas well) or facilities owned by another company to insure that those facilities do not interfere with the company's storage operations. Because the need for access cannot be predicted, the storage lease or easement agreement typically references the right of the company to enter your property when needed. The company should inform the property owner when its employees plan to enter the property.

Q: Is all storage in the U.S. under the jurisdiction of the Federal Energy Regulatory Commission?

A: No. Only natural gas storage that is used in interstate commerce is under FERC jurisdiction. There are approximately 500 existing underground natural gas storage facilities in the United States. Of those facilities, approximately 50% are under FERC jurisdiction, and the remaining are under state and/or local jurisdiction or are privately owned and unregulated.

LNG FACILITIES

Natural gas can also be converted to liquefied natural gas (LNG) and stored in above-ground tanks. Facilities for making LNG are used by many gas distribution companies for short-term peaking requirements, and are regulated under state authority. However, The Commission regulates a small number of similar facilities that are connected to interstate natural gas pipelines.

The United States also has several large LNG terminals, which include large LNG storage tanks as part of their operations. Traditionally, imported LNG is regasified before it enters the system of interstate natural gas pipelines for delivery to consumers. The Gulf Coast area has the country's highest concentration of existing and planned LNG terminals. In this region, salt caverns and depleted reservoirs also may be used as gas storage.

The growing production of natural gas in the United States from shale deposits has led to rising interest in developing liquefaction facilities for the export of natural gas to other countries. In this case, some LNG terminals would be used to export gas. Domestic natural gas would arrive at an LNG terminal via pipeline in a gaseous state, then liquefied and placed on LNG vessels for delivery to international consumers. While the Commission has the responsibility to evaluate and authorize LNG facilities, any company that exports natural gas also must receive an export license from the U.S. Department of Energy.

COMPRESSOR STATIONS

Q: *What is a compressor station?*

A: Compressor stations house natural gas fired engines, turbines or electric motors that drive compressors to compress, or pump, natural gas to move it through the system. They are located strategically along a pipeline route. Compressor stations associated with interstate natural gas pipeline systems are regulated by FERC. Compressors also are used by producers in gathering facilities that are not regulated by FERC.

Electric motor-driven compressors are very clean, and emit no particulate matter or pollutants. Natural gas-fired engines and turbines burn a portion of

the natural gas in the pipeline and would emit pollutants. Air emissions are regulated by the U.S. Environmental Protection Agency and state permitting authorities. These regulations are applicable to any source that emits or has the potential to emit any air contaminants, as defined in the Clean Air Act. Companies are required to obtain these federal permits, as applicable.

Q: *How noisy is a compressor station?*

A: The noise attributable to a new compressor station, compression added to an existing station, or any modification, upgrade or update of an existing station, must not exceed a day-night average noise level of 55 decibels at any pre-existing noise-sensitive areas such as schools, hospitals or residences. Companies perform noise surveys during initial operation of the approved facilities and report the results to FERC to document compliance.

Q: *Can compressor stations cause vibration at my home?*

A: Vibration is caused by direct vibration or by low-frequency noise emitted from a compressor station. This is similar to what happens when noise from a speaker causes the floor to shake or when a helicopter flying overhead causes a window to rattle.



Compressor station

Companies are required to comply with FERC's rule at 18CFR 380.12(k)(4)(v)(B) to ensure that there is no increase in perceptible vibration from the operation of the compressor station.

Q: *How much noise is permitted from drilling activities?*

A: Directional drilling is sometimes used to install underground pipeline through sensitive areas. Drilling is also used to install vertical wells at storage facilities. Drilling should be conducted with the goal of keeping noise impacts at noise-sensitive areas below a day-night level of 55 decibels. States may have their own noise level requirements for construction sites.

Q: Will the compressor station affect my air quality?

A: Numerous federal and state air quality rules and permits may apply to each compressor station. FERC will identify the required permits and regulations for each compressor station. We also identify the impacts on local and regional air quality from construction and operation of each compressor station.

Q: Are there special safety or fire issues associated with compressor stations?

A: All interstate natural gas facilities, including compressor stations, are required to comply with the U.S. Department of Transportation's Minimum Safety Standards. Compressor stations are constructed with many safety systems, such as gas and fire detection systems and emergency shutdown equipment. These systems are designed to ensure that in the event of an accident, the compressor station would be safely shut down with minimal risk to the public.

THE RESPONSIBILITIES OF GAS COMPANIES

Q: Must companies post bonds to guarantee performance?

A: No, but the Commission inspects the right-of-way during and after construction to ensure that the terms of its certificate have been met.

Q: Can the pipeline company come on my land without my permission?

A: State or local trespass laws prevail until a certificate is issued by the Commission. Some states have laws that allow a company to get access to property for survey purposes. Procedures vary by state. Once a certificate is issued or an easement/survey agreement or court order is obtained, the company may come onto your land. Usually the company will notify you in advance.

Q: When can they start to build?

A: Construction cannot commence until the Commission issues a certificate, the company accepts it, the company receives all other relevant permits and

authorizations, and the company complies with environmental conditions attached to the certificate. For most large pipelines, the time from filing an application to approval ranges from one year to two years. Once a certificate is issued, construction may start within a few weeks of the company having completed any outstanding studies or having met other preconditions set by the Commission.

Q: *Why would the company approach me about an easement before the project is approved?*

A: Because of planning and lead time, the company may try to obtain easement agreements in advance. Also, a company must conduct environmental studies before it files an application with the Commission.

For these studies to be as complete as possible, the company will try to obtain access to all of the proposed right-of-way. If Commission approval is ultimately denied, or the route changes, the initial easement agreement with the landowner is usually void (depending on the wording of the right-of-way or access contract). Further, disputes over the wording of an easement agreement are subject to state law.



Valve

Q: *Can the company place more than one pipeline on my property? Can the pipeline and the easement be used for anything other than natural gas?*

A: The Commission grants a certificate and states that eminent domain may only be used for the proposed pipeline and related facilities in the exact location described and only for the transportation of natural gas. If the company wishes to install another natural gas pipeline under Commission jurisdiction, it must obtain additional approval from the Commission. Other utilities may wish to use an adjacent or overlapping easement, but they would have to obtain approval from you or from another permitting authority that can grant eminent domain (usually the state). Of course, you may agree to other uses.

Q: Can the company construct above-ground facilities on the right-of-way?

A: Yes, if they have been approved by the Commission. Above-ground facilities, such as valves, pig launchers and pig receivers, are commonly placed in the right-of-way and are strategically placed along the pipeline system for operation and safety purposes.

Q: How close can the pipeline be to other pipelines or utility facilities?

A: Pipelines must be at least a foot from any underground structure and two to three feet below ground. Companies usually want their pipelines to be 25 feet from another pipeline. If space permits, pipelines can be placed in another utility's right-of-way.

Q: Can I receive service from the pipeline?

A: No, not in most cases. Generally speaking, interstate pipelines are operating at pressures incompatible with direct residential use, which is provided by local distribution companies.

Q: Can a pipeline be placed in a river or the ocean?

A: A pipeline can be placed in the ocean or across a river; however, it is usually not acceptable to place one longitudinally down a river or other stream. There are different environmental, cost, design and safety issues associated with construction in a water body.

Q: How soon after construction will the company restore the land?

A: Commission rules require restoration as soon as the trench is backfilled and weather permits.

Q: What authorization allows the pipeline company to use eminent domain?

A: If the Commission authorizes the project and the necessary easements cannot be negotiated, an applicant is granted the right of eminent domain

under section 7(h) of the Natural Gas Act and the procedures set forth under the Federal Rules of Civil Procedure (Rule 71A). Under these conditions, the landowner could receive compensation as determined by the courts.

IMPORTANT SAFETY ISSUES

Q: Who is responsible for safety?

A: While the Commission has oversight in ensuring that pipeline and above-ground facilities are safely constructed and installed, once the natural gas is flowing in the new system, the U.S. Department of Transportation's Pipeline and Hazardous Pipeline Materials Safety Administration takes over the responsibility during the operation for the lifetime of the pipeline. The U.S. Department of Transportation is also responsible for setting the federal safety standards for natural gas (and other) pipelines and related facilities. The *Pipeline and Hazardous Materials Safety Administration* can be contacted at 202-366-4595 or at <http://www.phmsa.dot.gov>.

Q: Are pipelines safe?



A: Accidents are rare and usually result from outside forces or unauthorized action by someone other than the pipeline company. The U.S. Department of Transportation enforces strict safety standards and requires safety checks.



Safety Inspectors

Q: Does natural gas smell?

A: Natural gas is odorless. An odorant, which smells like rotten eggs, is generally added for quick leak detection in more populated areas on interstate transmission pipelines and in local distribution pipelines in accordance with U.S. Department of Transportation safety regulations.

FURTHER ENVIRONMENTAL ISSUES

Q: *What if my property contains endangered species, wetlands, or archeological sites?*

A: Endangered species must be protected from the effects of construction and this could affect the location of the pipeline or other facilities. In the case of wetlands, if proper crossing procedures are used and no alternatives are available, they may be used for a pipeline right-of-way. If an archeological or historic site is eligible for listing in the National Register of Historic Places, impact to it must be minimized. It either will be excavated and studied, or the pipeline will be rerouted to avoid it. Landowners who want them usually are permitted to keep any artifacts after they are properly studied, subject to state law.



Wetlands

Q: *Environmental studies were mentioned earlier. How do they work?*

A: A Notice of Intent (NOI) to prepare an environmental assessment (EA) or an environmental impact statement (EIS) is issued for most major proposals. It is sent to federal, state and local agencies, local media and libraries, environmental groups, and the affected owners of any land that would be crossed. For some major projects the NOI may announce a schedule of public meetings along the proposed route. The NOI seeks comments from interested parties on the scope of the environmental document, and the comments must be submitted to the Commission, normally within 30 days. After the comment period, the Commission staff will prepare an EA or a Draft EIS outlining its findings and recommendations. For major proposals, further comments are sought during 45 days allotted for review of a Draft EIS or 30 days in the case of an EA. These comments are addressed in the Final EIS or the final order granting or denying the application.

ADDITIONAL INFORMATION

FOR ADDITIONAL INFORMATION, CONTACT:

Federal Energy Regulatory Commission
Office of External Affairs
888 First Street NE, Washington, DC 20426
Toll Free: 1-866-208-3372
E-mail: customer@ferc.gov
www.ferc.gov

Landowner Helpline
Toll Free: 1-877-337-2237
E-mail: landownerhelp@ferc.gov

Other related FERC documents you may find helpful are listed below. These are available on our web site.

The following can be found at:

<http://www.ferc.gov/industries/gas/enviro/guidelines.asp>

- Guidelines for Reporting On Cultural Resources Investigations
- Handbook for Using Third-party Contractors to Prepare Environmental Assessments & Environmental Impact Statements (EIS)
- Upland Erosion Control, Revegetation and Maintenance Plan
- Wetland and Waterbody Construction and Mitigation Procedures

<http://www.ferc.gov/resources/guides.asp>

- Your Guide to Electronic Information at FERC
- An Interstate Natural Gas Facility on my Land
- Blanket Certificate Program: Notice to landowners

GLOSSARY OF TERMS

Glossary of Terms supplied courtesy of the Pipeline and Hazardous Materials Safety Administration and FERC staff. For further information, please consult the PHMSA web site at <http://www.phmsa.dot.gov>.

COMPRESSOR STATIONS

Compressor Stations are facilities located along a natural gas pipeline that house and protect compressors. Compressors are used to compress (or pump) the gas to move it through the system. Compressor stations are strategically placed along the pipeline to boost the system pressure to maintain required flow rates.

EASEMENT

An easement is an acquired privilege or right, such as a right-of-way, afforded a person or company to make limited use of another person's or company's real property. For example, the municipal water company may have an easement across your property for the purpose of installing and maintaining a water line. Similarly, oil and natural gas pipeline companies acquire easements from property owners to establish rights-of-way for construction and operation of their pipelines.

GATHERING LINE

Pipelines, generally small in diameter, used to transport oil or gas from the well to a processing facility or a mainline pipeline. Gathering facilities, which can include the gathering lines and compressor stations associated with gathering, are not regulated by the Federal Energy Regulatory Commission.

HYDRAULIC FRACTURING

Also called "fracking," this refers to a process of fracturing rock using a pressurized liquid. This is usually water mixed with sand and chemicals, injected deep within the ground through a piped well bore. This technique is commonly used to produce natural gas or oil from shale, tight or coal seam formations.

LATERAL

A lateral is a segment of a pipeline that branches off the main or transmission line to transport the product to a termination point, such as a tank farm or a metering station.

LAUNCHER

A launcher is a pipeline component that is used for inserting an inline inspection tool, cleaning pig, or other device into a pressurized pipeline. After performing its task, the tool or pig is removed via receiver.



Fracking rig

LIQUEFACTION

Liquefaction refers to the process of converting natural gas (methane) to a liquid to facilitate transportation or storage. This process requires removing impurities and cooling the methane to -260°F .

LOOP

A loop is a segment of pipeline installed adjacent to an existing pipeline and connected to it at both ends. A loop allows more gas to be moved through the system.

METERING AND REGULATING (M&R) STATIONS

Metering and regulating stations are installations containing equipment to measure the amount of gas entering or leaving a pipeline system and, sometimes, to regulate gas pressure.



Metering and Regulating Station

PIG

A pig, also known as a “smart” pig, is a generic term signifying any independent, self-contained device, tool, or vehicle that is inserted into and moves through the interior of a pipeline for inspecting, dimensioning, or cleaning. These tools are commonly referred to as “pigs” because of the occasional squealing noises that can be heard as they travel through the pipe.

RECEIVERS

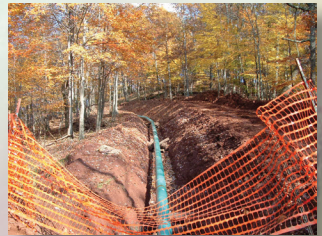
A pipeline component used for removing an inline inspection tool, cleaning pig, or other device from a pressurized pipeline. The device is inserted into the pipeline via a launcher.

RIGHTS-OF-WAY (ROW)

A right-of-way is a defined strip of land on which an operator has the rights to construct, operate, and/or maintain a pipeline. A ROW may be owned outright by the operator or an easement may be acquired for specific use of the ROW.

TRENCH

A trench is a long narrow ditch dug into the ground and embanked with its own soil. They are used for concealment and protection of pipeline. Trenches are usually dug by a backhoe or by a specialized digging machine.



Pipeline in trench

VALVE

A valve is a mechanical device installed in a pipeline and used to control the flow of gas or liquid.

See <http://www.phmsa.dot.gov> for additional pipeline-related terminology definitions.

Your project's docket number



Federal Energy Regulatory Commission Office of Energy Projects

888 First Street, NE
Washington, DC 20426
202-502-6088
1-866-208-3372 (toll free)
202-502-8659 (TTY)

www.ferc.gov/industries/gas.asp

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Northern Natural Gas Company

Docket No. CP24-60-000

NOTICE OF APPLICATION AND ESTABLISHING INTERVENTION DEADLINE

(February 29, 2024)

Take notice that on February 16, 2024, Northern Natural Gas Company (Northern Natural), 1111 South 103rd Street, Omaha, Nebraska, 68124-1000, filed an application under sections 7(b) and 7(c) of the Natural Gas Act (NGA), and Part 157 of the Commission's regulations requesting authorization for its Northern Lights 2025 Expansion Project (Project). The Project consists of approximately 8.62 miles of natural gas pipeline of multiple diameters at different locations, modifications to its existing La Crescent Compressor Station, appurtenant facilities, and the abandonment by removal of approximately 275 feet of its existing 30-inch-diameter MNB87703 Elk River 3rd branch line. The Project will provide an additional 46,064 dekatherms per day (Dth/d) of firm transportation capacity for residential, commercial, and industrial customer markets in Northern Natural's market area. Northern Natural estimates the total cost of the Project to be \$60,678,722, all as more fully set forth in the application which is on file with the Commission and open for public inspection.

In addition to publishing the full text of this document in the Federal Register, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (www.ferc.gov) using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. Public access to records formerly available in the Commission's physical Public Reference Room, which was located at the Commission's headquarters, 888 First Street NE, Washington, DC 20426, are now available via the Commission's website. For assistance, contact the Federal Energy Regulatory Commission at FercOnlineSupport@ferc.gov or call toll-free, (866) 208-3676 or TTY (202) 502-8659.

Any questions regarding the proposed project should be directed to Donna Martens, Senior Regulatory Analyst, P.O. Box 3330, Omaha, Nebraska 68103, by telephone at (402) 398-7138 or by email at donna.martens@nngco.com.

Pursuant to section 157.9 of the Commission's Rules of Practice and Procedure,¹ within 90 days of this Notice the Commission staff will either: complete its environmental review and place it into the Commission's public record (eLibrary) for this proceeding; or issue a Notice of Schedule for Environmental Review. If a Notice of Schedule for Environmental Review is issued, it will indicate, among other milestones, the anticipated date for the Commission staff's issuance of the final environmental impact statement (FEIS) or environmental assessment (EA) for this proposal. The filing of an EA in the Commission's public record for this proceeding or the issuance of a Notice of Schedule for Environmental Review will serve to notify federal and state agencies of the timing for the completion of all necessary reviews, and the subsequent need to complete all federal authorizations within 90 days of the date of issuance of the Commission staff's FEIS or EA.

PUBLIC PARTICIPATION

There are three ways to become involved in the Commission's review of this project: you can file comments on the project, you can protest the filing, and you can file a motion to intervene in the proceeding. There is no fee or cost for filing comments or intervening. The deadline for filing a motion to intervene is 5:00 p.m. Eastern Time on **March 21, 2024**. How to file protests, motions to intervene, and comments is explained below.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, environmental justice communities, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502-6595 or OPP@ferc.gov.

Comments

Any person wishing to comment on the project may do so. Comments may include statements of support or objections, to the project as a whole or specific aspects of the project. The more specific your comments, the more useful they will be.

¹ 18 C.F.R. (Code of Federal Regulations) § 157.9.

Protests

Pursuant to sections 157.10(a)(4)² and 385.211³ of the Commission's regulations under the NGA, any person⁴ may file a protest to the application. Protests must comply with the requirements specified in section 385.2001⁵ of the Commission's regulations. A protest may also serve as a motion to intervene so long as the protestor states it also seeks to be an intervenor.

To ensure that your comments or protests are timely and properly recorded, please submit your comments on or before **March 21, 2024**.

There are three methods you can use to submit your comments or protests to the Commission. In all instances, please reference the Project docket number **CP24-60-000** in your submission.

- (1) You may file your comments electronically by using the [eComment](#) feature, which is located on the Commission's website at www.ferc.gov under the link to [Documents and Filings](#). Using eComment is an easy method for interested persons to submit brief, text-only comments on a project;
- (2) You may file your comments or protests electronically by using the [eFiling](#) feature, which is located on the Commission's website (www.ferc.gov) under the link to [Documents and Filings](#). With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on "[eRegister](#)." You will be asked to select the type of filing you are making; first select "General" and then select "Comment on a Filing"; or
- (3) You can file a paper copy of your comments or protests by mailing them to the following address below. Your written comments must reference the Project docket number (**CP24-60-000**).

To file via USPS:

² 18 C.F.R. § 157.10(a)(4).

³ 18 C.F.R. § 385.211.

⁴ Persons include individuals, organizations, businesses, municipalities, and other entities. 18 C.F.R. § 385.102(d).

⁵ 18 C.F.R. § 385.2001.

Docket No. CP24-60-000

- 4 -

Debbie-Anne A. Reese, Acting Secretary
Federal Energy Regulatory Commission
888 First Street NE
Washington, DC 20426

To file via any other courier:
Debbie-Anne A. Reese, Acting Secretary
Federal Energy Regulatory Commission
12225 Wilkins Avenue
Rockville, Maryland 20852

The Commission encourages electronic filing of comments (options 1 and 2 above) and has eFiling staff available to assist you at (202) 502-8258 or FercOnlineSupport@ferc.gov.

Persons who comment on the environmental review of this project will be placed on the Commission's environmental mailing list, and will receive notification when the environmental documents (EA or EIS) are issued for this project and will be notified of meetings associated with the Commission's environmental review process.

The Commission considers all comments received about the project in determining the appropriate action to be taken. **However, the filing of a comment alone will not serve to make the filer a party to the proceeding.** To become a party, you must intervene in the proceeding. For instructions on how to intervene, see below.

Interventions

Any person, which includes individuals, organizations, businesses, municipalities, and other entities,⁶ has the option to file a motion to intervene in this proceeding. Only intervenors have the right to request rehearing of Commission orders issued in this proceeding and to subsequently challenge the Commission's orders in the U.S. Circuit Courts of Appeal.

To intervene, you must submit a motion to intervene to the Commission in accordance with Rule 214 of the Commission's Rules of Practice and Procedure⁷ and the regulations under the NGA⁸ by the intervention deadline for the project, which is **March**

⁶ 18 C.F.R. § 385.102(d).

⁷ 18 C.F.R. § 385.214.

⁸ 18 C.F.R. § 157.10.

21, 2024. As described further in Rule 214, your motion to intervene must state, to the extent known, your position regarding the proceeding, as well as your interest in the proceeding. For an individual, this could include your status as a landowner, ratepayer, resident of an impacted community, or recreationist. You do not need to have property directly impacted by the project in order to intervene. For more information about motions to intervene, refer to the FERC website at <https://www.ferc.gov/resources/guides/how-to/intervene.asp>.

There are two ways to submit your motion to intervene. In both instances, please reference the Project docket number **CP24-60-000** in your submission.

- (1) You may file your motion to intervene by using the Commission's [eFiling](#) feature, which is located on the Commission's website (www.ferc.gov) under the link to [Documents and Filings](#). New eFiling users must first create an account by clicking on "[eRegister](#)." You will be asked to select the type of filing you are making; first select "General" and then select "Intervention." The eFiling feature includes a document-less intervention option; for more information, visit <https://www.ferc.gov/docs-filing/efiling/document-less-intervention.pdf>; or
- (2) You can file a paper copy of your motion to intervene, along with three copies, by mailing the documents to the address below. Your motion to intervene must reference the Project docket number **CP24-60-000**.

To file via USPS:

Debbie-Anne A. Reese, Acting Secretary
Federal Energy Regulatory Commission
888 First Street NE
Washington, DC 20426

To file via any other courier:

Debbie-Anne A. Reese, Acting Secretary
Federal Energy Regulatory Commission
12225 Wilkins Avenue
Rockville, Maryland 20852

The Commission encourages electronic filing of motions to intervene (option 1 above) and has eFiling staff available to assist you at (202) 502-8258 or FercOnlineSupport@ferc.gov.

Protests and motions to intervene must be served on the applicant either by mail or email at: Donna Martens, Senior Regulatory Analyst, P.O. Box 3330, Omaha, Nebraska 68103 or by email at donna.martens@nngco.com. Any subsequent submissions by an

intervenor must be served on the applicant and all other parties to the proceeding. Contact information for parties can be downloaded from the service list at the eService link on FERC Online. Service can be via email with a link to the document.

All timely, unopposed⁹ motions to intervene are automatically granted by operation of Rule 214(c)(1).¹⁰ Motions to intervene that are filed after the intervention deadline are untimely, and may be denied. Any late-filed motion to intervene must show good cause for being late and must explain why the time limitation should be waived and provide justification by reference to factors set forth in Rule 214(d) of the Commission's Rules and Regulations.¹¹ A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies (paper or electronic) of all documents filed by the applicant and by all other parties.

TRACKING THE PROCEEDING

Throughout the proceeding, additional information about the project will be available from the Commission's Office of External Affairs, at **(866) 208-FERC**, or on the FERC website at www.ferc.gov using the "eLibrary" link as described above. The eLibrary link also provides access to the texts of all formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. For more information and to register, go to www.ferc.gov/docs-filing/esubscription.asp.

Intervention Deadline: 5:00 pm Eastern Time on March 21, 2024.

Debbie-Anne A. Reese,
Acting Secretary.

⁹ The applicant has 15 days from the submittal of a motion to intervene to file a written objection to the intervention.

¹⁰ 18 C.F.R. § 385.214(c)(1).

¹¹ 18 C.F.R. § 385.214(b)(3) and (d).

Document Content(s)

CP24-60-000 Notice of Application.docx.....1

Eminent Domain Process in Minnesota
Summary of Landowner Rights Under Minnesota “Eminent Domain” Statutes

Northern will make every effort in good faith to reach a voluntary agreement with you to acquire the necessary permanent and temporary easements. However, if Northern is unable to reach an agreement, Northern may acquire the easements through the exercise of the power of eminent domain granted to it by the federal Natural Gas Act, 15 U.S.C.A. Section 717 and/or Minnesota law. Prior to filing a petition for condemnation, Northern will provide you with a copy of either the appraisal or minimum damage acquisition report it has obtained.

“Eminent domain” or “condemnation” is the legal process by which property is obtained for a public use or purpose. The constitutions of the United States and the State of Minnesota provide that your property cannot be acquired or taken for a public use or purpose without payment of “just compensation.” Courts have determined that “just compensation” means fair market value. The procedures to ensure compliance with these requirements are found in Chapter 117 of the Minnesota Statutes.

Northern will start the process by filing a petition in the District Court of the county where the property is located. Before approving the acquisition, the court will have a hearing. You will receive at least 20 days notice of that hearing, and you will have the right to appear with or without an attorney. If the court grants the petition, the court will appoint three disinterested persons with real estate experience (called “commissioners”) to determine the amount of compensation you should receive. The commissioners will view the property and then hold a hearing. You have the right to be present when the commissioners view your property, and the right to appear and present evidence regarding the amount of compensation that should be awarded. Typically both sides will present testimony from appraisers on that issue, and their written appraisals will be submitted to the commissioners at the hearing. (If you obtain an appraisal, you will be entitled to reimbursement for the reasonable costs of the appraisal up to an amount determined under Minnesota Statutes §117.036, provided you submit to the acquiring authority the information necessary for reimbursement, including a copy of the appraisal, at least five days before a condemnation commissioners’ hearing.) If either party is dissatisfied with the amount of the award of the commissioners, that party may appeal to the District Court and have a formal trial to the court or a jury. If either party is dissatisfied with that determination, it may appeal to the Minnesota Court of Appeals.

In most cases, the petitioner in a condemnation action has the right to title and possession of the property after the commissioners file their award with the Court. However, in Minnesota, it is possible to acquire title and possession of the condemned property earlier. A “quick take” procedure is authorized by Section 117.042 and is commonly used by Northern when it needs to obtain title and possession quickly in order to commence and complete construction of the project before the winter heating season begins. If that procedure is used, then Northern will send you a Notice of Intent to Take Possession by certified mail, notifying you that it intends to take possession in 90 days. The court will consider the appropriateness of this procedure at the time of the initial hearing on the petition for condemnation. If the court approves the use of this procedure, Northern must pay you, or deposit with the Court, an amount equal to Northern’s appraised value of the condemned property interests before Northern is entitled to title and possession.

This is intended to be only a brief summary of landowner rights and the condemnation process. It is not offered and should not be considered as legal advice. For further information, you may wish to consult with an attorney.



The Rights of Landowners Under Wisconsin Eminent Domain Law

Procedures Under sec. 32.06 Wisconsin Statutes

FOREWORD

This pamphlet is published by the Wisconsin Department of Commerce in cooperation with the Attorney General, pursuant to sec. 32.26 (6), of Wisconsin statutes. The pamphlet is to be given to property owners or their representatives by the acquiring authority prior to initiation of negotiations for property being acquired for a public project.

The material in this pamphlet provides information on how the condemnation process works in Wisconsin. It should serve as a reference for you, but it is not intended to cover every possible eventuality or every right you may have in individual cases. A further source of information is Chapter 32 of the Wisconsin statutes which contains the law that is summarized in this pamphlet.

Direct questions about this pamphlet to:

Relocation Unit
Division of Community Development
Department of Commerce
P.O. Box 7970
Madison, WI 53707
(608) 264-7822

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INTRODUCTION

In recent times there has been an increasing demand placed upon government for services in transportation, education, utilities, housing and other areas of public concern. At the same time, the available supply of land for these projects has been shrinking dramatically. Consequently, government has had to resort to its right to acquire private land for public uses even without the consent of private owners -- the eminent domain power.

This power derives from the Wisconsin Constitution, Art. IX, sec. 3. The Legislature has

FEDERAL LAW

When a project is receiving federal financial assistance, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) may provide additional or different protections than those outlined in this pamphlet. You should receive supplemental information from the acquiring authority if federal law applies.

delegated this power by statute to numerous authorities and has specified the purposes for which such power can be used. Generally, departments, municipalities, boards, commissions, public officers, and various public and quasi-public corporations are delegated this power. Some of the purposes for which the Legislature has specified that condemnation can be used are highway construction or improvement, reservoirs, dams, public utility sites, waste treatment facilities, city redevelopment and energy lines.

Wisconsin has long had statutes regulating the exercise of eminent domain power. This pamphlet is intended to give citizens information about Wisconsin's eminent domain procedure, the workings of the condemnation process, and the rights of property owners in this process. It is, by necessity, of a general nature and is not a substitute for legal advice in individual cases, since many

aspects of Wisconsin law cannot be covered in general terms. Another source of information for citizens is the particular authority which is acquiring the property.

The goal is to achieve equality of information for both parties during the negotiation process and to reach satisfactory settlements, equitable to both the property owner and the public, through the statutory process.

THE LANGUAGE OF EMINENT DOMAIN

(This glossary defines terms used in the pamphlet)

Acquiring Authority

A public or quasi-public entity vested with the constitutional or statutory power to acquire private property for a public use.

Additional Items Payable

Persons displaced by the public project are to be fairly compensated by the payment of relocation assistance and assistance in the acquisition of replacement housing.

Appraisal

A written report, by a professional and disinterested person skilled in valuation, describing the property that is to be acquired and reaching a documented conclusion as to the fair market value of such property.

Certificate of Compensation

A document recorded with the register of deeds when a sale is negotiated between the owner and the acquiring authority. It contains the names of persons with a record interest in the property, a legal description, the typed of interest acquired, and the amount of compensation. All persons named should be sent a copy and a notice of the right to appeal the amount of compensation.

Condemnation Commission

A group of local residents, appointed by the circuit court of a county for fixed terms, who have the authority to determine just compensation for the property being acquired.

Date of Acquisition

The day the award of the condemnation commission is paid to the property owner or to the circuit court for the benefit of the property owner.

Date of Evaluation

The day on which the lis pendens is recorded in the office of the register of deeds in the county where the land is located. The fair market value of the property on this day is just compensation to the property owner for the acquisition. For negotiated sales, the date of acquisition and the date of evaluation is the date the conveyance is recorded with the register of deeds.

Determination of Necessity

A finding, made by the acquiring authority or the court, that the authority has the right to acquire private land for a specific public use.

Easement

An interest in real property which gives the acquiring authority the legal right to use the property for a specific purpose or to restrict the property owner's use of the land. Ownership and title to the property remain with the property owner.

Eminent Domain

The power of the state to acquire private property for a public use.

Fair Market Value

The amount for which property could be sold in the open market between a willing buyer and a willing seller.

Full Narrative Appraisal

A detailed and comprehensive description of the process an appraiser uses in regard to a certain property to reach an opinion of its fair market value. The opinion must contain the appraiser's rationale for determining value and be documented by market data which supports the appraiser's rationale.

Incidental Expenses

Reasonable and necessary amounts, defined by statute, payable to the owner of real property acquired for a public use. Generally, incidental expenses compensate for expenses you may incur in transfer of your property to the acquiring authority. They include recording fees, mortgage prepayment penalties and other items.

Jurisdictional Offer

A written notice given by the acquiring authority to the owner of property and any mortgagee of record which informs the recipients of the proposed public use, what property is being acquired, and the amount of compensation to be paid.

Lis Pendens

A notice filed with the register of deeds when the acquiring authority files a petition with the court seeking a hearing before the condemnation commission. It notifies all interested parties that the property described is in the process of being acquired for a public use. The day the lis pendens is filed is the "date of evaluation," except in the case of an acquisition by a public utility, or a negotiated sale.

Litigation Expenses

The sum of the costs, disbursements and expenses including reasonable attorney, appraisal and engineering fees necessary to prepare for, or participate in, actual or anticipated proceedings before a condemnation commission or any court.

Severance Damages

Damages which may result when only part of a person's property is condemned. Generally, these items of damage compensate for any loss in value of the remaining property due to the acquisition.

Uneconomic Remnant

Any portion of the property remaining after a partial acquisition which is of little value or substantially impaired economic viability due to its size, shape or condition.

PART ONE BEFORE NEGOTIATIONS TO ACQUIRE PROPERTY BEGINS

After you have been contacted by the acquiring authority, you have the right to a **full narrative appraisal** of the property sought to be acquired. This appraisal is done by an appraiser hired or employed by the agency, and the law requires the appraiser to confer with the owner or the owner's representative, if reasonably possible, when making the appraisal. Any and all appraisals made by the acquiring authority must be provided to you.

You have the right to have your own full narrative appraisal of the property made by a qualified appraiser. The reasonable cost of this appraisal may be submitted to the acquiring authority for payment, if the appraisal meets the standards set forth in sec. 32.09 of Wisconsin statutes, but, if you have such an appraisal made and wish to be paid for its cost, it must be submitted to the authority within 60 days after you receive the authority's full narrative appraisal. Your appraisal will be considered during negotiations.

The acquiring authority is required to make a determination of its need for the property. The way this **determination of necessity** is made varies depending on what type of agency is acquiring the property and the purpose for which it is being acquired.

If a public utility seeks your property for an electric generating plant or high-voltage transmission line, it applies to the Public Service Commission for a **certificate of public convenience and necessity**. This application must be filed by the Public Service Commission with the city or town clerk in the area where the facility is located, as well as the main public library in the county. The issuance of the certificate of public convenience and necessity provides the determination of necessity for the acquisition of the needed property.

Most other authorities seeking land for proposed projects make their own determinations of necessity. The statute lists the authorities who have the power to make their own determinations. In all other cases, the circuit court, upon a petition by the acquiring authority, makes the determination. These records are available for public inspection.

If a public project, other than a town highway, involves the acquisition of any interest in any farm operation of more than five acres, the Department of Agriculture, Trade and Consumer Protection (DATCP) may be required to prepare an **agricultural impact statement** prior to the acquisition of any land. Even if the acquisition is less than five acres, DATCP may prepare a statement if the acquisition will have a significant effect on the farm operation.

If an environmental impact statement is required by another statute, the requirements of the agricultural impact statement may be met by the environmental impact statement. Also, if an easement for an electric transmission line, excluding a high voltage line, is being acquired over a farm operation, an agricultural impact statement is not required.

A "farm operation" is defined by law as an activity conducted primarily for the production of commodities for sale or home use in such quantity that the commodities contribute materially to the support of the farm operator.

The acquiring authority may gather the necessary information for the impact statement. DATCP must prepare the statement within 60 days after receiving the information from the acquiring authority. After preparation, the statement must be published by DATCP. For a 30 day period after publication, the acquiring authority is precluded from negotiating with the property owner or making a jurisdictional offer.

The law also requires that the agricultural impact statement be distributed by DATCP to various offices and individuals. You can obtain a copy from your local library or from any local unit of government in the area affected. You may also request a copy directly from DATCP.

PART TWO THE NEGOTIATION PERIOD

After appraisals are completed, the acquiring authority must attempt to negotiate with the owner or the owner's representative for purchase of the needed property. The statutes require that you be provided an informational pamphlet on eminent domain procedure **before** negotiation begins. If you are also displaced as a result of the acquisition, the law requires that you receive a pamphlet on **relocation benefits**. The owner's full narrative appraisal must be considered as a part of the negotiation. Also, any rights you may have for additional items payable (relocation benefits) can be included in the negotiations.

During negotiations, the acquiring authority must provide a map showing all property affected by the proposed project. Along with this map you must be given the names of at least 10 neighboring landowners to whom offers are being made. The names of all offerees if less than 10 owners are affected must be given. Any maps in the possession of the authority showing the property affected can be inspected, and copies will be made available at reasonable cost. At this point, condemnation is not involved, only negotiations for purchase.

If you agree to a negotiated purchase, the acquiring authority must record the conveyance and a **certificate of compensation** with the register of deeds in the county where the land is located. Also, all owners of record should receive by certified mail the certificate of compensation and a notice of their right to appeal within **six months** after the date of the recording of the certificate. Such an appeal would challenge the amount of compensation received by the property owner. The appeal would be initiated by filing a petition with the circuit court. The judge then assigns the appeal to the chairperson of the county condemnation commission. All persons with a record interest in the property will be notified of the appeal.

The date the conveyance is recorded is the date of acquisition and the date of evaluation.

PART THREE PARTIAL ACQUISITIONS AND EASEMENTS

If only a part of your property is acquired, other than for an easement, two different calculations may be made to determine the fair market value of the part acquired. In such partial acquisitions, fair market value is the greater amount of either the fair market value of the part acquired or the difference between the value of your property **before** the acquisition and its value after, giving effect to severance damages set forth in sec. 32.09 of Wisconsin Statutes.

If only part of your property is acquired and you are left with an **uneconomic remnant**, the acquiring authority must also offer to acquire the uneconomic remnant. You must consent to the acquisition in order for the remnant to be acquired.

When an easement over your property is acquired, the compensation required is the difference between the value of your property immediately **before** the date of evaluation and its value immediately **after** the date of evaluation. Severance damages may also be paid where such damages exist and are allowed by statute.

If your land is zoned or used for agricultural purposes and an easement is acquired for a high voltage transmission line or a fuel pipeline, you will be entitled to choose between a lump sum

payment for the easement or an annual payment representing just compensation for the acquiring of the easement for one year. The acquiring authority should be able to answer any questions on your eligibility for this choice and the terms of each alternative. Sec. 32.09 (6r) (a), (b), and (c) of Wisconsin statutes details the law on lump sum versus annual payments.

PART FOUR THE JURISDICTIONAL OFFER TO PURCHASE

If negotiations do not lead to a purchase of the needed interest by the acquiring authority, a **jurisdictional offer** must be given to the owner and to any mortgagee of record. You will receive the notice by personal service or by certified mail.

This very important document will provide you with vital information on the acquisition of your property. Items that must be included are a statement of the nature of the project, a description of the property to be acquired, and a statement of the proposed date the acquiring authority will occupy the property. Included in the document is the amount of compensation to be paid for your property, including a statement that any additional items payable may be claimed for relocation assistance. An owner has **20 days** from the receipt of this offer to accept or reject it. If you accept the jurisdictional offer, title will be transferred and you will be paid the amount specified in the offer within 60 days. This 60 day period can be extended by mutual written consent of the property owner and the acquiring authority. **Incidental expenses** for which you may be eligible under sec. 31.195 of the statutes relating to transfer of your property to the acquiring authority will also be paid.

If the property owners of record reject the jurisdictional offer in writing, or do not act upon it within the 20 day period, the acquiring authority may petition the court to have the county condemnation commission make a determination of just compensation for the property.

PART FIVE HEARING BEFORE THE COUNTY CONDEMNATION COMMISSION

The acquiring authority, after a jurisdictional offer is **not accepted**, may petition the circuit court to initiate a hearing before the condemnation commission. If a determination of necessity has not been made by the agency, the petition may ask the court to make the determination of necessity at this time. You will receive notice of the acquiring authority's petition.

An important event which coincides with the filing of this petition is the filing of a **lis pendens**. The lis pendens is filed with the register of deeds in the county where the property is located. It provides notice to any interested party of the possibility that your property may be acquired for a public use.

The day this lis pendens is filed is the "date of evaluation." The value of your property on this day is just compensation to you for its loss under the law. A different "date of evaluation" may apply when your property is acquired by a public utility. The date depends on when the certificate of public convenience and necessity and the advance plans were filed. For negotiated sales the date of evaluation is the day the conveyance is recorded with the register of deeds.

A hearing on the petition the acquiring authority has filed with the court must be held at **least 20 days** after the date the petition was filed. If the court finds that the authority has a right to

condemn your property, the court will assign the matter to the condemnation commissioners for a hearing.

A county will have six to 12 commissioners, depending on the county population. They are local individuals, residents of the county or adjoining county, and are appointed by the circuit court. They serve staggered three year terms and generally sit in groups of three.

Within seven days after the chairperson of the commission is notified of the petition by the judge, three of the commissioners are selected to hear the case. The hearing date, time and place are fixed by the chairperson, and will not be less than 20 days nor more than 30 days from the day the court assigned the petition to the chairperson. At least 10 days prior notice will be given to all parties. The commission proceedings are more informal than court proceedings, and are governed by statute. The amount of the jurisdictional offer or award of compensation cannot, by law, be disclosed to the commission. You have a right to appear and to present evidence. A majority of the members have the power to make all decisions. **Within 10 days** after the end of the hearing, a **written award** is made and filed with the clerk of circuit court. The clerk will notify the parties of the award.

An acquiring authority may elect to abandon proceedings to acquire your property within 30 days after the filing of the condemnation commission's award by petitioning the circuit court where the property is located. You will receive five days notice by certified mail of this petition. The court will set the terms by which the abandonment can take place. If the judge formally discontinues condemnation by making an order, the order removes any title in the acquiring authority and automatically discharges the lis pendens.

Should the commission's award exceed the amount paid by the acquiring authority, and if neither party appeals from the award of the commission to the circuit court, interest is paid on the amount of the increase for the period from the date of acquisition until the date of the commission award, if the amount of the increase is paid within 14 days of the commission award. This payment passes title of the property to the acquiring authority.

If you or the acquiring authority are dissatisfied with the award of the condemnation commission, either can appeal to the circuit court of the county where the property is located. This must be done within **60 days** of the filing of the condemnation commission's award. If an appeal is made to the circuit court by either party, the owner will not be entitled to receive the amount of compensation paid to the circuit court unless the owner posts a bond equal to one-half of the award. This bond protects the acquiring authority in case the judgment of the court on appeal is less than the award of the condemnation commission.

PART SIX

APPEAL OF JUST COMPENSATION TO CIRCUIT COURT

The statutes require certain notices and papers to be filed to accomplish an appeal. It would be advisable to secure legal counsel to aid you in your appeal to the circuit court. The procedure may be found in sec. 32.06 (10) of Wisconsin statutes. You have a right to a jury trial on the issue of **just compensation**.

The measure of just compensation is the fair market value of the property acquired from you as of the date of acquisition, as calculated under sec. 32.09, stats. Should a court or jury determine that the amount you were paid for your property exceeded its fair market value as of the date of

acquisition, you will be required to repay to the acquiring authority the amount of the difference. On the other hand, if the jury verdict is greater than the award of the commission, you are entitled to receive legal interest on the excess from the date title vests in the acquiring authority.

If the jury verdict or judgment of the court **exceeds** the amount of the commission's award, the acquiring authority has 40 days after the filing of the judgment to petition for abandonment of the condemnation. (The procedure followed is the same as the procedure for abandonment after the award of the condemnation commission is filed.)

If no appeal is taken to the Wisconsin court of appeals, and no petition for abandonment is filed by the acquiring authority, the judgment must be paid **within 60 days** after it is entered. If the judgment is not paid within 60 days, it will bear interest from the date of entry of the judgment until the date of payment at 10% a year.

PART SEVEN ACTION TO CONTEST THE RIGHT OF CONDEMNATION

Such an action challenges the right of the authority to condemn the property described in the jurisdictional offer. This action must be commenced in circuit court **within 40 days** from the postmark of the certified letter containing notice of the jurisdictional offer.

If you do not challenge the acquiring authority's right to acquire your property within this 40 day period, you will lose your right to do so.

In addition, if you accept and retain any money awarded for your property, you may not challenge the acquiring authority's right to acquire.

In this proceeding, you may challenge any defects in the procedure the authority has used and the "public" nature and necessity of the proposed use.

PART EIGHT LITIGATION EXPENSES AND COSTS

The law provides for the payment of litigation expenses by the acquiring authority under **any one** of the following circumstances:

- if the proceeding is abandoned by the acquiring authority;
- if it is determined by a court that the acquiring authority does not have the right to condemn;
- if the award of the condemnation commission is **greater** than the jurisdictional offer, or the highest written offer prior to the jurisdictional offer, by at least \$700 and 15%, **and** the award is not appealed;
- if the property owner appeals an award of the condemnation commission which exceeds the jurisdictional offer or the highest written offer prior to the jurisdictional offer, by at least \$700 **and** 15%, and the court approved jury verdict **exceeds** the award of the condemnation commission by at least \$700 **and** 15%;
- if the acquiring authority appeals an award of the condemnation commission, and the court-approved jury verdict is \$700 **and** 15% greater than the jurisdictional offer or the highest written offer prior to the jurisdictional offer;

- if the property owner appeals an award of the condemnation commission which **is not** 15% greater than the jurisdictional offer or the highest written offer prior to the jurisdictional offer, and court-approved jury verdict is at least \$700 **and** 15% higher than the jurisdictional offer or highest written offer prior to the jurisdictional offer.

Unless you come under one of these specific categories, you will not be able to recover litigation expenses from the acquiring authority.

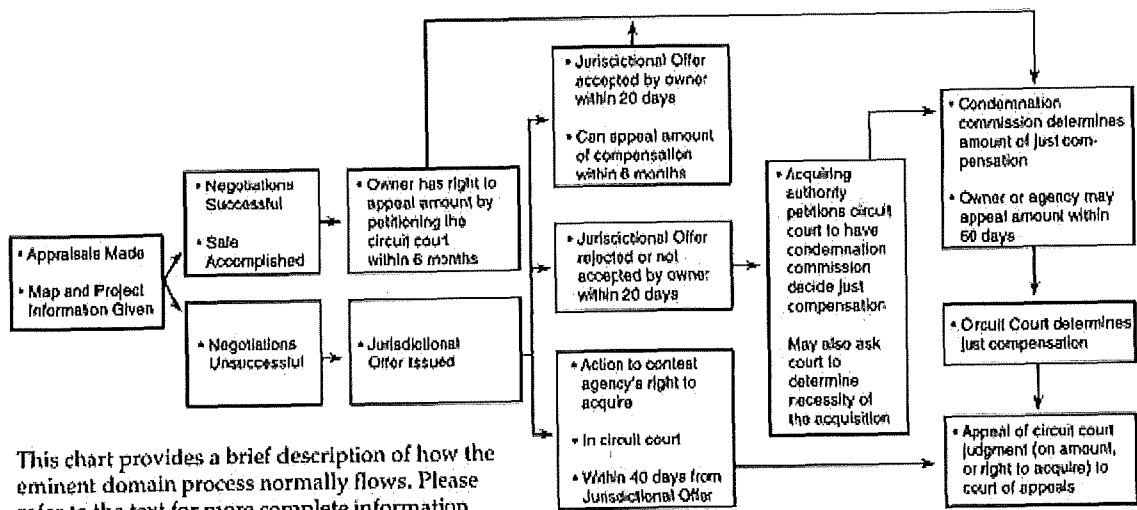
The Legislature has provided "costs" (statutorily determined payments to successful parties in proceedings challenging just compensation) to litigants who are successful but who do not fit into any of the categories mentioned above. If the just compensation awarded by the court or condemnation commission exceeds the jurisdictional offer or the highest written offer prior to the jurisdictional offer, the property owner will be deemed the "successful" party. You may be required to pay "costs" to the acquiring authority if you are unsuccessful in challenging the compensation you have received or the acquiring authority's right to acquire the property. "Costs" are defined in Ch. 814 of Wisconsin statutes.

PART NINE OCCUPANCY

No occupant may be required to move from a dwelling or move a business or farm without at least 90 days' written notice from the acquiring authority. An occupant shall have rent free use of the property for 30 days beginning with the 1st or 15th day of the month after title vests in an agency, whichever is sooner. Rent charged for use of a property between the date of acquisition and the date of displacement may not exceed the economic rent, the rent paid by a tenant to the former owner or the occupant's financial means if a dwelling, whichever is less.

The acquiring authority may not require the persons who occupied the premises on the date title vested in the acquiring authority to vacate until a comparable replacement property is made available. (You may have a different right of occupancy if the property is acquired by a public utility.)

If you damage or destroy any acquired property after the date that title vest in the acquiring authority, you may be liable for the damage.



Environmental Complaint Resolution Procedure

PURPOSE:

Northern Natural Gas (Northern) established an Environmental Complaint Resolution Procedure that provides landowners whose land will be crossed by a Northern project with clear and simple directions for identifying and resolving their environmental mitigation problems/concerns during construction of the project and restoration of the right of way (ROW). This procedure identifies (1) the steps Northern will follow to inform landowners how and who to contact should they have environmental mitigation concerns or questions during construction of the project and restoration of the ROW; and (2) how Northern will respond when a landowner calls Northern's toll-free Hotline with questions or concerns.

PROCEDURE:

1. Contact Northern's toll-free Hotline at 888-367-6671. This number will be answered by a Northern operator. Please provide your name, address, telephone number that you can be reached at during business hours, your concern, the best time of the day to reach you, and any other information that is requested. The operator will contact the appropriate Northern representative who will respond to your call within 24 hours.
2. It is Northern's intent to provide you a prompt, adequate response to your concern. However, if you are still not satisfied with Northern's response, please contact Northern's toll-free Hotline at 888-367-6671 a second time and inform the Northern operator that this is your second call. The operator will have the appropriate member of management contact you to address your concern.
3. In the event you are still not satisfied with Northern's response, you may contact the Enforcement Hotline of the Federal Energy Regulatory Commission at 1-888-889-8030.

If a Northern representative has previously contacted you regarding activities on your property, you may contact the Northern representative who has been communicating with you regarding the construction project, instead of using Northern's Hotline number. The best time to call is during Northern's normal office hours – between 8 a.m. and 5 p.m. Monday through Friday. However, Northern's Hotline number is available 24 hours a day.

Northern is committed to providing appropriate and timely information to you and to be available to answer your questions. Please feel free to use this process to contact us when needed.