

Pipeline developer to be questioned  
By The Associated Press

BISMARCK, N.D. - Trans-Canada Corp. must explain why some landowners may have been given false information about a proposed crude oil pipeline in eastern North Dakota, the state Public Service Commission said.

Negotiators who are acquiring the rights to use private land along the pipeline's suggested North Dakota route have apparently refused to negotiate terms, commissioners said. One landowner said he was told the project had all of its needed regulatory approvals, when it does not.

Curtis Novak of Dahlen, who opposes the pipeline, said a property negotiator told his in-laws that the pipeline was "a done deal," and that all of its permits were issued, to pressure them to sign a compensation agreement quickly. Novak farms the affected land.

"When they pull stuff like this, it makes me think that maybe they are not as pure as they say they are," Novak said in an electronic mail message to the commission.

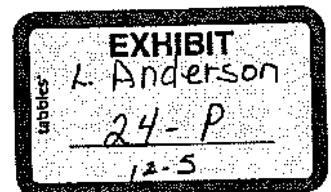
During a meeting Monday, commissioners Susan Wefald, Tony Clark and Kevin Cramer said they would demand an explanation from TransCanada, and may seek a meeting with company officials.

A TransCanada spokesman, Jeff Rauh, said the company is investigating two incidents about which the PSC recently provided information.

"Our policy and our commitment is to treat landowners with fairness, with respect, and to respond to questions accurately and truthfully, and to provide information that they need about the project," Rauh said. "Our intention is to have every landowner come away feeling as though they've been dealt with fairly."

Wefald, who is the commission's president, said Wednesday that North Dakota law gives any group of at least five dissatisfied property owners the right to sue a utility to invalidate property easements if the utility used "deception, fraud or other unfair tactics" in acquiring the right to use the property.

"In some of the letters we're receiving, it just sounds like (TransCanada) is giving (landowners) the easement papers, and they make an offer. We're hearing, they won't negotiate," Wefald said. "Negotiation is part of the easement process."



Anderson Exhibit # 24 P

TransCanada's Keystone pipeline project would bring crude oil from Hardisty, Alberta, to Patoka, Ill., and Cushing, Okla. The pipeline would stretch for 2,148 miles and transport as much as 590,000 barrels of oil daily.

The project includes 218 miles of 30-inch pipeline in eight counties in eastern North Dakota. The projected route also takes it across 220 miles in 10 counties in eastern South Dakota.

Jim Belanus, of Walhalla, said in an e-mail message that TransCanada representatives "talk about good faith negotiations, but all I've seen from them is: 'This is the offer. If you don't like it, then that is too bad.'"

Belanus said one representative implied that if he did not agree to the company's offer, it would start the process of taking the property through eminent domain. Rauh said negotiators are told not to discuss condemnation, except in response to questions.

"I don't doubt the need for the line," Belanus wrote, "but I don't like their one-sided negotiations. "

Wefald said the Public Service Commission is limited in what it may do for dissatisfied landowners, because the panel is in charge of approving a site plan for the pipeline. The agency cannot take an advocacy role against the company, Wefald said.