

ATTACHMENT A

Angela Teal
Ann Cowart
Arny Erickson
Art Richert
Becky Poss
Beverly Nelson
Beverly Richert
Bonnie Myrlie
Brad Severson
Brian Teal
Bruce Burkhart
Burggraff Farms
Carol Hoines
Chuva Johnson
Clayton Rentschler
Connie Beyer-Lalonde
Crystal Page
Dan Paulson
Dana Bosma
Daniel Janssen
Daniel Nelson
Daryl Nelson
Dave Larson
David Johnson
David Johnson Living Trust
David Vinzant
DeJa View Family Farm
Denis Andersen
Diana Nelson
Don Cowart
Ehtan Javers
Evelyn Schuer Living Trust
Frank Burggraff
Galen Ver Steeg
Gary Haak
Gerald Haak
Glenn Burggraff
Glenn Scott

Helen Le Brun
Jackie Burggraff
Janelle Jarabek
Janet Andersen
Jarabek Special Spousal Living Trust
Jenae Ruesink-Cross
Jessica Deering
Jill Paulson
Joan Nelson
Joanne Jackson Burke
Joyce Risty
Joyce Swanson
Julie Burkhart
Kay Burkhart
Keith Myrlie
Kevin Alberts
Knutson Grandchildren Trust
Leroy Zorr
Linda Burggraff
Linda Dawley
Lisa Knutson
Lonna Smeenk
LuAnn Severson
Lynda Burggraff
Marilyn Olson
Marilyn Schwebach
Mark Javers
Mark Le Brun
Mary Ann Nelson
Maryls Stensaas
Merle Alberts
Merle Alberts Living Trust
Merlin Knutson
Merlyn Smeenk
Michelle Jensen
Mike Hoffman
Miles Lacey
Myron Christopherson
Nelson Living Trust
Overseth-Ruesink Legacy Trust

Patrick Deering
Paula Bell
Paulette Zorr
Ray Luze
Richard Lacey
Richert Family Trust
Rick Bonander
Rick Luze
RJ Wright
Robert Janssen
Robyn Ventura
Roger Van Dyke
Ronald & Angela Teal Revocable Trust
Ronald Teal
RoSchell Vinzant
Rosemary Schwebach
Ryon Smeenk
Schwebach Family Trust
Shelley Larson
Spencer Jacobson
Stephen Nelson
Tab Pepper
Tamara Ford
The Merlyn & Lonna Smeenk Living Trust
Todd & Linda Dawley Living Trust
Todd Dawley
Todd Jacobson
Tom Schwebach
Tony Ventura
Verlyn & Anna Legacy Trust
Walter Theis
Warren Jackson
Wayne Burggraff
Wright Brothers Partnership

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

NAVIGATOR HEARTLAND GREENWAY LLC)	
)	
APPLICATION PURSUANT TO)	
THE CARBON DIOXIDE TRANSPORTATION)	
AND SEQUESTRATION ACT (220 ILCS 75/1 et seq.))	
FOR A CERTIFICATE OF AUTHORITY)	Docket No. 22-0497
TO CONSTRUCT AND)	
OPERATE A CARBON DIOXIDE)	
PIPELINE AND WHEN NECESSARY TO TAKE)	
INTERESTS IN PROPERTY AS PROVIDED BY)	
THE LAW OF EMINENT DOMAIN)	

**Navigator Heartland Greenway LLC’s
Motion to Withdraw Application and for
Order Voluntarily Dismissing Application Without Prejudice and
Concluding this Proceeding**

Navigator Heartland Greenway LLC (“NHG” or “Applicant”) hereby moves to voluntarily withdraw its Application for a Certificate of Authority in the above-captioned proceeding, without prejudice to filing a new application, and requests an order by the Commission granting voluntary dismissal of the Application, without prejudice, and concluding the proceedings in this Docket. NHG also respectfully suggests that, to avoid the need for parties to expend additional resources in this Docket, the Administrative Law Judges (“ALJs”) should suspend the upcoming procedural schedule and filing dates in this Docket until this Motion can be presented to and ruled on by the Commission.

1. On July 25, 2022, NHG filed with the Illinois Commerce Commission (“Commission”) an Application for a Certificate of Authority to construct and operate an interstate carbon dioxide transportation pipeline in Illinois, pursuant to the Carbon Dioxide Transportation and Sequestration Act, 220 ILCS 75/1 *et seq.* The Application was docketed by the Commission as Docket No 22-0497.

2. During the course of this proceeding, Commission Staff, and some intervenors,

have proposed, for various reasons, that NHG's Application should be withdrawn, and a new application filed thereafter, including due to NHG's direct testimony having been filed 46 days after its Application was filed.

3. Applicant believes its current Application was properly filed and sufficient to obtain the Certificate of Authority sought from the Commission. However, Applicant will be seeking authorization to construct, install, operate, and maintain an additional lateral pipeline to additional sequestration location(s). Instead of filing a separate application for the lateral pipeline, Applicant seeks to streamline the application process by withdrawing its current Application and re-filing a new application to include the new lateral pipeline with the project components proposed in Docket No. 22-0497. Accordingly, Applicant now requests leave to voluntarily withdraw its Application, without prejudice to filing a new application, and requests an order from the Commission granting voluntary dismissal of NHG's Application, without prejudice, and concluding the proceedings in this Docket.

4. Applicant states that it intends to file a new application for a Certificate of Authority to construct and operate a carbon dioxide transportation pipeline with the Commission in February 2023, and to file supporting direct testimony and exhibits with the Commission concurrently with the new application. Such filings will provide additional time for Commission Staff and any intervenors to analyze Applicant's proposal as set forth in the new application, as compared to the schedule in the instant Docket.

5. As noted above, NHG respectfully suggests that, to avoid the need for parties to expend additional resources in this Docket, the ALJs should suspend the upcoming procedural schedule and filing dates in this Docket until this Motion can be presented to and ruled on by the Commission.

Wherefore, Navigator Heartland Greenway LLC, respectfully requests entry of an order by the Commission granting Applicant's request for voluntary dismissal, without prejudice, of its Application, and concluding proceedings in this docket.

Dated: January 20, 2023

Respectfully Submitted

NAVIGATOR HEARTLAND GREENWAY LLC

By: /s/ Owen E. MacBride

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