Exhibit U-3

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE APPLICATION OF NAVIGATOR HEARTLAND GREENWAY, LLC FOR A PERMIT UNDER THE SOUTH DAKOTA ENERGY CONVERSION AND TRANSMISSION FACILITIES ACT TO CONSTRUCT THE HEARTLAND GREENWAY PIPELINE IN SOUTH DAKOTA	:	**Docket No.: HP 22-002** **DIRECT TESTIMONY OF MIKE MIKICH**

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ON BEHALF OF

UNITED ASSOCIATION OF JOURNEYMEN AND APPRENTICES OF THE PLUMBING AND PIPE FITTING INDUSTRY OF THE UNITED STATES AND CANADA, AFL-CIO

MAY 25, 2023

Q. State your name, job title, and business address.

A. My name is Mike Mikich. I am a Special Representative assigned to the Pipeline and Gas Distribution Department for the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada, AFL-CIO (the "United Association" or "UA"). My business address is Three Park Place, Annapolis, MD 21401, the general office of the UA.

Q. Please describe the United Association and its membership.

A. The United Association is an international labor organization representing approximately 365,000 plumbers, pipefitters, sprinkler fitters, service technicians, and welders – including over 280 who reside in South Dakota.

The UA includes Pipeliners Local 798 ("Local 798"). Local 798 is comprised of approximately 4,600 active UA members who are pipeline construction specialists. Although called a "local," Local 798 has a nationwide reach. The membership of Local 798 is comprised of highly specialized pipeline construction workers, the most skilled and trained workers in their field, who construct large scale pipeline projects in the United States, ranging from all forms of gas transport through crude oil and refined product pipelines. These workers, commonly called "pipeliners," will ensure that Navigator's Heartland Greenway Project (the "Project") is constructed according to the highest standards of craftsmanship, as they have on countless pipeline projects in the past.

Q. Please briefly describe your background in pipeline work.

A. I have been a UA member since I began my career in the field in 1986 as an apprentice. After completing my apprenticeship in 1991, I graduated as a journeyman welder. I worked in the field for the next 20+ years, in addition to serving as a local union officer, before being appointed to my current position of Special Representative for the United Association assigned to the Pipeline Department.

During my career in the field as a UA welder, I worked 60,000 man-hours in the trade, most of which were spent constructing pipelines. I worked on the right-of-way on transmission and distribution pipeline construction and maintenance, replacement projects (where pipe is taken up and relaid), and emergency calls, as well as welding double joint racks for pipelines on and off the jobsite. This work involved every form of welding that falls under the UA's scope of work, other than automatic, including a great deal of the exact type of welding to be used in construction of this Project, on pipe ranging from 2 inches to 96 inches in diameter. During much of my career in the field, I served as a job steward or welder foreman. I worked for most of my career on jobsites in California and also performed off-site welding of pipe segments to be used in some of the largest diameter pipelines in the U.S., including the Vector, Alliance, Mariner East, and both Kern River pipelines.

In addition to my field experience as a pipeliner, I have obtained operator qualifications in welding, hydrostatic testing, ditch and excavation safety, shoring, rail and traffic safety, and general pipeline construction. I have conducted training in workplace safety and have participated in many hours of safety and construction training on various pipeline-related topics, as well as environmental response training.

Q. Describe your role as a Special Representative in the Pipeline and Gas Distribution Department at the United Association.

A. In my current position of Special Representative assigned to the UA's Pipeline and Gas Distribution Department, I serve the pipeline industry on a national level by providing daily oversight of pipeline projects throughout the United States with a goal of ensuring safe, high-quality pipeline construction and operation through responsible construction practices that utilize the most up-to-date techniques and safety measures. As part of my duties, I also help UA local unions represent workers and interpret the UA's National Pipe Line Agreement ("NPLA"), a national collective bargaining agreement covering construction of mainline pipeline projects. The Project at issue falls under the UA's jurisdiction as set forth in the NPLA.

Q. Please describe the scope of the United Association's past and current pipeline work.

A. The United Association's experience and expertise in pipeline work is unparalleled. Major pipeline projects – such as the one being considered in this proceeding – fall under the NPLA, a comprehensive collective bargaining agreement specifically covering mainline pipeline work, which applies to over one hundred contractors throughout the United States. UA members have been involved in the construction of most major pipeline projects in the United States over time.

Major pipeline projects on which UA members have worked include the Alliance Energy, Northern Border, Rockies Express, Vector, Trans Continental, Maritimes and Northeast, Colonial, Natural Gas of America, Kern River, Trailblazer, Trans Alaska, the Great Lakes Expansion, Florida Gas, the Enbridge Northern Lights Project, Patriot, Gulf Stream, Gulf Coast Extension, Iroquois, Ruby, Bison, Flanagan South, Alberta Clipper, Keystone, Dakota Access, and Enbridge Line 3 Replacement, among many others.

Q. Are any of the projects in South Dakota?

A. Keystone, Dakota Access and Northern Border pass through South Dakota, border to border. Keystone and Dakota Access are large diameter crude oil pipelines. Northern Border is a large diameter natural gas pipeline.

Q. What is the purpose of your testimony?

A. The purpose of my testimony is two-fold. First, my testimony will discuss the need for and socioeconomic benefits of the Project from a labor organization, construction-oriented viewpoint. I will discuss how the Project will provide not only vital jobs and income to

UA members as a part of a union workforce, but also associated socioeconomic benefits for South Dakota residents and the State of South Dakota. My testimony will also provide the Commission with information about the UA's involvement in the pipeline construction process and unparalleled skill and expertise in that regard, which would contribute to ensuring that the Project is built to the highest standards of reliability, efficiency and environmental safety.

Q. What role would the UA have on the Project?

A. In February 2022, Navigator CO2 Ventures LLC (the "Applicant") executed a Letter of Intent pledging that the Project would be constructed using workers represented by the UA as part of a union workforce. Therefore, the UA anticipates that the Project would create a significant number of construction jobs for its members. As discussed below, the UA has tested and qualified the welding procedure specifications to be used on construction of the Project. The UA members who would work on construction of the Project will possess all of the skills and qualifications needed to perform the full scope of work to be carried out by the UA, including welding the line together, testing the line once it is fully constructed, and other tasks.

Q. How much work do you estimate the Project would create for UA workers?

A. Based on similar projects completed by Local 798 workers, I estimate that workers represented by Local 798 would work a total of approximately 16,500 man-hours on construction of the Project in South Dakota.

Q. How would this work benefit UA workers?

A. Workers represented by Local 798 would earn hourly wages and benefits commensurate with their skill and expertise. Again based on past similar projects, I estimate that, cumulatively, the Local 798 workers employed on construction of the Project would earn over $1 million in hourly wages, per diem, and fringe benefit contributions. Some of these hourly fringe benefit contributions would go to workers' retirement funds. Other fringe benefit contributions would be remitted to jointly-sponsored union and employer health plans providing health insurance and associated benefits for workers and their families. All workers employed on the Project would receive health benefits for themselves and their families for the duration of construction.

These are the kinds of highly-skilled, well-paying jobs that UA members and all construction workers count on to provide for themselves and their families. These jobs will not exist if the Project does not go forward, to the great detriment of many workers. Although some might attempt to diminish construction jobs because they are "temporary," the temporary nature of construction jobs is exactly what makes them so important. Every opportunity for construction work that is denied is devastating because construction workers rely on a steady supply of "temporary" jobs to provide complete incomes for themselves and their families.

The fringe benefits earned through this Project are a prime example of the value of steady construction work. Workers must generally maintain a minimum number of hours worked during set time periods to establish and maintain health coverage. Similarly, retirement benefits are computed based on time worked and so workers who experience lapses in employment risk not accumulating sufficient pension benefits to make ends meet during retirement.

Q. How would you expect construction of the Project to affect the surrounding communities?

A. The Project entails construction of approximately 112 miles of new 6-inch and 8-inch diameter pipeline in South Dakota. In my experience, whenever a Project of this magnitude occurs, the workers constructing it create increased demand along the right-of-way for housing and services associated with the daily lives of the workers. Based on my past observation and experience, I estimate that United Association workers working on the Project would spend at least 25% - 35% of their wages in South Dakota for the necessities of daily life.

The construction of the Project would also bring about many types of local economic benefits for South Dakotans other than jobs. Approximately 280 United Association members reside in South Dakota. These members and the rest of South Dakota would benefit from the tens of millions of dollars in estimated real property, sales, use and contractor's excise tax revenue to be generated by the Project. Increased local tax revenue would enable local communities to hire more public employees like police, firefighters, and teachers. The tax revenue would also help to fund public works projects for local communities, providing more construction jobs unrelated to the pipeline. Finally, the additional tax revenue reduces the tax burden on property owners and consumers.

Q. Please describe the training that United Association members receive in pipeline construction.

A. The United Association's training efforts are second to none and produce workers who are highly-skilled in all aspects of pipeline construction work.

United Association pipeline welders and pipefitters undergo rigorous and extensive training prior to receiving journeyman accreditation as well as continuing training thereafter to ensure they are up-to-date with the most recent and advanced construction methods. These programs provide training and testing for welder and welding inspection certification, plant and pipeline inspection, x-ray certification, and radiographic film interpretation, among other skills. All training emphasizes safety and protection of the environment. United Association Pipeliners Local 798 – an affiliate of the UA whose members work on pipeline projects nationwide – maintains a 33,000 square foot, state-of-the-art training and testing center in Tulsa, Oklahoma. Local 798's training center has been designated as an "Education Institution Member" by the American Welding Society.

In addition to training at the Training Center, the United Association's signatory contractors provide job specific training regularly on jobsites. Training at job sites often relates to local environmental issues and hazards so that construction is tailored to the specifics of the local environment and is undertaken in the most responsible and thorough manner.

All of these training efforts combine to produce prepared and highly trained pipeline workers who would bring their considerable skills and experience to the Project. Their expertise means that the pipeline would be constructed to the highest standards by workers who know how to do the job right and who take great pride in their work.

Q. Are there other pipelines transporting carbon dioxide in the United States?

A. There are thousands of miles of pipelines transporting carbon dioxide in operation in the United States, dating back many years. Most transport carbon dioxide from power plants and other industrial carbon dioxide producers to oil fields. The carbon dioxide is used in secondary oil recovery, a process in which carbon dioxide is injected into oil fields to enhance oil production. While there are thousands of miles of carbon dioxide transport pipelines in operation in this country, the number and mileage are relatively small compared to the hundreds of thousands of miles of pipelines transporting natural gas, refined petroleum products and crude oil.

Q. Are carbon dioxide pipelines constructed the same way as natural gas and petroleum pipelines?

A. Fabrication and welding of carbon dioxide pipelines is not technically different from other pipeline construction. In this case, the South Dakota segments of the pipeline will be six and eight inches in diameter, depending on location. The pipe is high quality carbon steel. While the Navigator pipeline is smaller in diameter than most crude oil and natural gas pipelines, the welding techniques are fundamentally the same as employed in the construction of the modern pipelines in South Dakota, like Dakota Access, Northern Border and Keystone.

Q. Is specialized training or knowledge required for UA workers to construct the Navigator pipeline?

A. UA members are fully trained and equipped in the construction techniques needed to perform the UA's full scope of work on the Project. In March 2023, welder-representatives of Pipeliners Local 798 reviewed the Applicant's welding procedure specifications ("WPS") at Local 798's Tulsa training center. The WPS specify the exact welding tools, techniques and procedures to be used on the welds that join the segments of pipe together. The Project's WPS are standard for UA pipeliners, who are fully trained and qualified to perform the work according to those specifications.

Q. Did Local 798 test the Applicant's Welding Procedure Specifications?

A. Two qualified welder training coordinators employed by Local 798 tested the WPS according to the American Petroleum Institute ("API") Standard 1104 at the Tulsa training center. API Standard 1104 is the primary standard for welding steel piping and for testing welds on steel pipelines. It has been incorporated by reference in regulations governing federal safety standards applicable to transportation of natural and other gas by pipeline by the U.S. Department of Transportation's Pipeline and Hazardous Materials Safety Administration ("PHMSA"). 49 C.F.R. § 192.7(b)(9).

In accordance with API Standard 1104, the Local 798 welders performed sample welds using the same pipe to be used on the Project and exactly in conformance with the WPS supplied by the Applicant. The sample welds were then x-rayed to ensure that they were free of defects. After successful x-rays, the welds were subjected to technical tests to assess their strength and integrity. The tests were performed as specified in API Standard 1104. In these tests, the welds were stretched apart, broken open, and bent into a semi-circle shape using a hydraulic press. The integrity of the welds was examined during and, where applicable, after, each of these tests. Using the Applicant's WPS, the welds performed at Local 798's training center passed these non-destructive tests and were therefore deemed qualified under API Standard 1104. The Applicant's WPS would be followed exactly when it comes to construction of the Project.

Q. Will UA members participate in the integrity testing of the finished pipeline before it is put in service?

A. Yes. UA pipeliners are also fully trained and qualified to perform other work involved in construction of the Project, including performing hydrostatic testing, during which the completed pipeline is filled with water, which is pressurized to mimic the pressure the pipeline would be subjected to during operation. The Applicant has indicated that the Project will be hydrotested continuously for eight hours at a pressure of 125% of the line's maximum operations pressure ("MOP").

Q. Is the United Association asking that the South Dakota Public Utilities Commission approve the Project?

A. Yes.

Q. Does this conclude your testimony?

A. Yes

Dated: May 25, 2023

/s/ Mike Mikich
Mike Mikich