

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION
NOTICE OF HEARING
ENBRIDGE ENERGY, LIMITED PARTNERSHIP
CASE NO. U-20763

- Enbridge Energy, Limited Partnership, requests Michigan Public Service Commission's approval for authority for its project known as the Straits Line 5 Replacement Segment. The application for Authority to Replace and Relocate the Segment of Line 5 Crossing the Straits of Mackinac into a Tunnel Beneath the Straits of Mackinac, seeks a ruling confirmation if approval is required pursuant to 1929 PA 16; MCL 483.1 et seq. and Rule 447 of the Michigan Public Service Commission's Rules of Practice and Procedure, R 792.10447, or the grant of other appropriate relief. The municipalities affected are: Wawatam Township in Emmet County and Moran Township in Mackinac County, Michigan.
- The information below describes how a person may participate in this case.
- You may call or write Enbridge Energy, Limited Partnership, 5400 Westheimer Court, Houston, TX 77056-5310, (713) 627-5400, for a free copy of its application. Any person may review the documents at the offices of Enbridge Energy, Limited Partnership's attorney, Michael S. Ashton, Fraser Trebilcock Davis & Dunlap PC, 124 W. Allegan Street, #1000, Lansing, MI 48933.
- A prehearing will be held:

DATE/TIME: Wednesday, August 12, 2020 at 1:00 P.M.
BEFORE: Administrative Law Judge Dennis W. Mack
LOCATION: Video/Teleconferencing
PARTICIPATION: Any interested person may participate. Persons needing any assistance to participate should contact the Commission's Executive Secretary at (517) 284-8090, or by email at mpscdockets@michigan.gov in advance of the hearing. Instructions regarding participation will be filed in the docket.

The Michigan Public Service Commission (Commission) will hold a prehearing to consider Enbridge Energy, Limited Partnership's (Enbridge) April 17, 2020 application requesting Commission approval for "The Project", which involves relocating underground the portion of Line 5 that crosses the Straits, within a tunnel to be located at a depth of approximately 60 feet to 250 feet beneath the lakebed of the Straits. The Project will replace the current crossing - consisting of two, 20-inch diameter pipes referred to as the Dual Pipelines - with a single, 30-inch diameter pipe (the "replacement pipe segment") located within a concrete-lined tunnel below the lakebed of the Straits. In addition to locating the replacement pipe segment within the tunnel, Enbridge seeks approval to operate and maintain the replacement pipe segment as part of Line 5. Enbridge also proposes to tie-in, operate, and maintain approximately 0.4 to 0.8 miles of pipe to connect the replacement pipe segment to Enbridge's existing Line 5 on both sides of the Straits. The Project will also include all the associated fixtures, structures, systems, coating, cathodic protection and other protective measures, equipment and appurtenances relating to the replacement pipe segment and connection to the existing Line 5 pipeline on both sides of the Straits. Enbridge requests Commission approval of: 1) Enbridge's Application for the Project and that the Project is just, reasonable and in the public interest; 2) the replacement of the Line 5 Dual Pipelines crossing the Straits with the replacement pipe segment to be located within the tunnel; 3) the authority to replace, design, construct, install, tie-in, test, operate, maintain, repair and own the replacement pipe segment including all associated fixtures, structures, systems, coating, cathodic protection and other protective measures, equipment and appurtenances; 4) the determination that the location of the replacement pipe segment within the tunnel below the lakebed of the Straits reduces and minimizes potential adverse environmental impacts compared to the existing location of the Dual Pipelines, and therefore is consistent with the promotion of the public health, safety, and welfare in light of the state's paramount concern for the protection of its natural resources from pollution, impairment, or destruction; and 5) such further relief as the Commission deems necessary and appropriate; or, in the alternative issue a declaratory ruling pursuant to Section 63 of the Administrative Procedures Act of 1969 (being MCL 24.263), and Rule 448, (being R 792.10448) or other finding, that Enbridge already has obtained the authority it needs from the Commission for the Project. The Commission issued an order on June 30, 2020, which denied the request for a declaratory ruling and directed a contested case proceeding.

All documents filed in this case shall be submitted electronically through the Commission's E-Dockets website at: michigan.gov/mpscdockets. Requirements and instructions for filing can be found in the User Manual on the E-Dockets help page. Documents may also be submitted, in Word or PDF format, as an attachment to an email sent to: mpscdockets@michigan.gov. If you require assistance prior to e-filing, contact Commission staff at (517) 284-8090 or by email at: mpscdockets@michigan.gov.

Any person wishing to intervene and become a party to the case shall electronically file a petition to intervene with this Commission by August 5, 2020. The proof of service shall indicate service upon Enbridge's attorney, Michael S. Ashton, 124 W. Allegan St., #1000, Lansing, MI 48933.

The prehearing is currently scheduled to be held remotely by video conference or teleconference. Enbridge and those persons filing a petition to intervene will be advised of the process to participate in the hearing. However, the Commission will continue to evaluate whether the prehearing can be safely converted to an in-person hearing. Thus, all interested persons should monitor this docket prior to the prehearing for any potential changes to the format of the prehearing.

Any person wishing to participate without intervention under Mich Admin Code, R 792.10413 (Rule 413), or file a public comment, may do so by filing a written statement in this docket. The written statement may be mailed or emailed and should reference Case No. U-20763. Statements may be emailed to: mpscdockets@michigan.gov. Statements may be mailed to: Executive Secretary, Michigan Public Service Commission, 7109 West Saginaw Hwy., Lansing, MI 48917. All information submitted to the Commission in this matter becomes public information, thus available on the Michigan Public Service Commission's website, and subject to disclosure. Please do not include information you wish to remain private. For more information on how to participate in a case, you may contact the Commission at the above address or by telephone at (517) 284-8090.

In addition, the Commission is planning to hold a public hearing on August 24, 2020 regarding Enbridge's application and details of the meeting will be forthcoming. The meeting will be held remotely with web and call-in options available for participants. Public comments will be on the agenda for this meeting. For updated case information, to learn about ways to participate, or to sign up for email updates on Enbridge's application, please visit www.michigan.gov/MPSCLine5

Requests for adjournment must be made pursuant to Mich Admin Code, R 792.10422 and R 792.10432. Requests for further information on adjournment should be directed to (517) 284-8130.

A copy of Enbridge's application may be reviewed on the Commission's website at michigan.gov/mpscdockets and at the office of Enbridge's attorney, Michael S. Ashton, Fraser Trebilcock Davis & Dunlap, P.C., 124 West Allegan, Suite 1000, Lansing, Michigan 48933.

Jurisdiction is pursuant to 1929 PA 16, as amended, MCL 483.1 et seq.; 1919 PA 419, as amended, MCL 460.54 et seq.; 1939 PA 3, as amended, MCL 460.1 et seq.; 1994 PA 451, MCL 324.101 et seq.; 1969 PA 306, as amended, MCL 24.201 et seq.; and Parts 1 & 4 of the Michigan Office of Administrative Hearings and Rules, Mich. Admin Code, R 792.10106 and R 792.10401 through R 792.10448.