

FILED

August 18, 2020

**STATE OF MINNESOTA
IN COURT OF APPEALS**

**OFFICE OF
APPELLATE COURTS**

CASE TITLE:

In the Matter of the Application of Enbridge Energy, Limited Partnership, for a Certificate of Need and a Routing Permit for the Line 3 Replacement Project in Minnesota from the North Dakota Border to the Wisconsin Border

**PETITION FOR WRIT
OF CERTIORARI**

**APPELLATE COURT
CASE NUMBER: _____**

Friends of the Headwaters,

Petitioner,

vs.

Minnesota Public Utilities Commission,
Respondent.

**MN PUBLIC UTILITIES
COMMISSION NO:
PL-9/CN-14-916 and
PL-9/PPL-15-137**

**DATE OF NOTICE OF
DECISION:
July 20, 2020**

**DATE AND DESCRIPTION
OF EVENT TRIGGERING
APPEAL TIME:
July 20, 2020 PUC Order
Denying Reconsideration**

TO: THE COURT OF APPEALS OF THE STATE OF MINNESOTA:

Petitioner Friends of the Headwaters (“FOH”) hereby petitions the Court of Appeals for a Writ of Certiorari to review three decisions of the Minnesota Public Utilities Commission (“PUC”), all encompassed by its July 20, 2020 Order Denying Reconsideration:

1. Finding that the environmental impact statement prepared for the line 3 crude oil pipeline project met the requirements of the Minnesota Environmental Policy Act

(MEPA), Minn. Stat. § 116D.04;

2. Granting a Certificate of Need (“CN”) under Minn. Stat. § 216B.243 for the project; and
3. Granting a Routing Permit (“RP”) for the project under Minn. Stat. § 216G.02.

Those decisions were contrary to law, not supported by the evidence, and arbitrary and capricious. Petitioner seeks review of the MEPA decision under Minn. Stat. § 116D.04, subd. 10, and seeks review of the CN and RP decisions under the Minnesota Administrative Procedure Act, Minn. Stat. §§ 14.63-.68 §§ 216B.27 and 216B.52 and the Minnesota Administrative Procedure Act, Minn. Stat. §§ 14.63 - .68, by filing and serving a petition for Writ of Certiorari not more than 30 days after the date the PUC gave notice that it had denied petitions for reconsideration of its CN decision.

DATED: August 18, 2020

/s/ Scott Strand

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