



1250 West Century Avenue
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June 14, 2024

Debbie-Anne Reese, Acting Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, D.C. 20426

Re: WBI Energy Transmission, Inc.
Wahpeton Expansion Project
Docket No. CP22-466-000
Variance Request for Project Modifications

Dear Acting Secretary Reese:

On October 23, 2023, the Federal Energy Regulatory Commission (FERC or Commission) issued an Order Issuing Certificate (Order) in the above referenced docket authorizing WBI Energy Transmission, Inc. (WBI Energy) to construct, modify, operate, and maintain its Wahpeton Expansion Project (Project) in Cass and Richland Counties, North Dakota. On February 13, 2024, the Commission authorized WBI Energy to proceed with construction of all Project facilities.

Pursuant to Environmental Condition No. 5 of the Order, WBI Energy is hereby submitting a variance request to change the crossing method of a road from a guided bore crossing to an open trench crossing at 39th Street SE¹ near milepost 8.2 in Cass County, North Dakota (V64). All construction activities associated with the open trench crossing would remain within the currently approved workspaces, as depicted in Attachment A, with no change in construction or operation acreages. Currently approved additional temporary workspace will be utilized during construction for parking of equipment and storage of materials as necessary while allowing unrestricted landowner access to agricultural fields.

No wetlands/waterbodies, cultural resources, or other environmental resources will be impacted by this change in crossing method. Further, the duration of construction activity will be reduced with this crossing method and the risk of inadvertent returns of boring fluid is eliminated. Therefore, implementation of this variance will provide equal or better protection to environmental resources. Additionally, WBI Energy will implement the mitigation measures in FERC's Upland Erosion Control, Revegetation, and Maintenance Plan and other permits/plans as applicable to further reduce impacts during construction.

¹ Station No. 430+00 on Alignment Sheet No. 4.

The requested modification is located within the biological and cultural survey corridors ² for the Project and no further consultation is required. WBI Energy has received landowner approval for the modification.

Project modification V64 is not located within an environmental justice community.

As required under Environmental Condition No. 5 of the Order, WBI Energy respectfully requests written authorization from the Director of the Office of Energy Projects to utilize the requested Project modification, by Friday, June 21, 2024.

Pursuant to 18 CFR § 385.2010 of the Commission's regulations, copies of this filing are being served to each person whose name appears on the official service list for this proceeding.

Any questions regarding this filing should be addressed to the undersigned at (701) 530-1563.

Sincerely,

/s/ Lori Myerchin

Lori Myerchin
Vice President, Regulatory Affairs
and Transportation Services

Attachment

cc: via email

David Hanobic, FERC Environmental Project Manager
Dawn Ramsey, FERC Deputy Environmental Project Manager
Official Service List

² Addendums to Environmental Survey Reports - Wetland and Waterbody Delineation Report submitted with WBI Energy's Implementation Plan (see eLibrary accession number 20231201-5360, attachment 7-2).
Supplemental response to FERC's August 10, 2022 Environmental Information Request (see eLibrary accession number 20220901-5265, Resource Report 3, Request No. 2 Attachment - FWS Consultation Package).
Archaeological and Architectural Survey Reports - Class III Archaeological Inventory Survey Report submitted with WBI Energy's Supplemental Filing and Draft EIS comments (see eLibrary accession number 20221222-5270, attachment 8 (PRIV)).

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated this 14th day of June, 2024.

By /s/ Lori Myerchin

Lori Myerchin

Vice President, Regulatory Affairs and
Transportation Services

WBI Energy Transmission, Inc.

1250 West Century Avenue

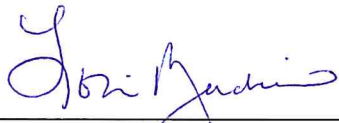
Bismarck, ND 58503

Telephone: (701) 530-1563

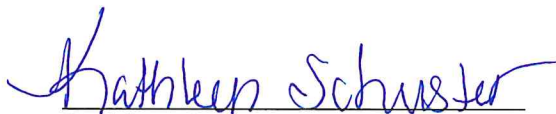
STATE OF NORTH DAKOTA)
COUNTY OF BURLEIGH)

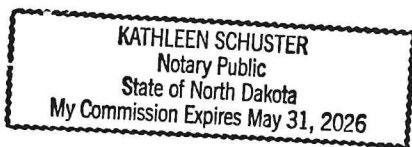
I, Lori Myerchin, being first duly sworn, do hereby depose and say that I am the Vice President, Regulatory Affairs and Transportation Services for WBI Energy Transmission, Inc.; that I have read the foregoing document; that I know the contents thereof; that I am authorized to execute such document; and that all such statements and matters set forth therein are true and correct to the best of my knowledge, information and belief.

Dated this 14th day of June, 2024.

By 
Lori Myerchin
Vice President, Regulatory Affairs and
Transportation Services

Subscribed and sworn to before me this 14th day of June, 2024.


Kathleen Schuster, Notary Public
Burleigh County, North Dakota
My Commission Expires: 5/31/2026




Attachment A

Variance Figure



This information is for environmental review purposes only.

 Bore to Open Cut
 Milepost

 Centerline
 No Change



Proposed Project Modifications

V64

