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Mailing Address:  
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Bismarck, ND 58506-5601  
(701) 530-1600

September 17, 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 Modification

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 install a farm tap<sup>1</sup> (V70) near MP 56.9<sup>2</sup> in Richland County, North Dakota. WBI Energy has entered into an Interconnect Agreement with Montana-Dakota Utilities Co. (Montana-Dakota), a local distribution company, for the installation of the farm tap. Montana-Dakota will provide distribution service to the customer through the farm tap. All construction activities associated with the installation of the farm tap will be within approved workspaces, as depicted in Attachment A, with no change in construction acreage. The footprint of the farm tap (five feet by five feet) will be entirely within WBI Energy's approved permanent right-of-way, with additional above ground facility impacts of less than 0.01 acre.

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<sup>1</sup> WBI Energy indicated in its application that the Project may include the installation of farm taps. WBI Energy stated a farm tap consists of valves and piping contained within a small, fenced enclosure typically 4 feet square and 3 feet high. (See eLibrary accession number 20220527-5343, Vol. I - Letter and Application; and Vol. II – RR1.)

<sup>2</sup> Approximately Station No. 2998+33 on Alignment Sheet No. 28.

The requested modification is located within the biological and cultural survey corridors<sup>3</sup> for the Project and no further consultation is required. WBI Energy has received approval from the landowner for the installation of the farm tap.

No wetlands/waterbodies, cultural resources, or other environmental resources will be impacted by the installation of the farm tap. 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 and restoration.

The Project modification 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, September 20, 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

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<sup>3</sup> 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 17th day of September, 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     )

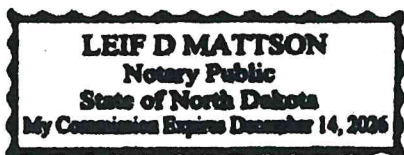
I, Lori Myerchin, being first duly sworn, do hereby depose and say that I am the Vice President, Regulatory Affairs and Transportation Services for WBI Energy Transmission, Inc.; that I have read the foregoing document; that I know the contents thereof; that I am authorized to execute such document; 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 17<sup>th</sup> day of September, 2024.

By   
Lori Myerchin  
Vice President, Regulatory Affairs and  
Transportation Services

Subscribed and sworn to before me this 17 day of September, 2024.

  
Leif D. Mattson, Notary Public  
Burleigh County, North Dakota  
My Commission Expires: 12/14/2026

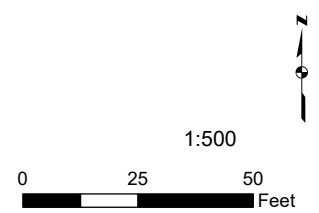


# Attachment A

## Variance Figure



- Farm Tap
- Milepost
- - - Centerline
- No Change



**Proposed Project Modifications**  
**V70**

