

Application to Amend Certificate of Compliance

Applicants: Montana Alberta Tie Ltd. and MATL LLP, Co-Permittees
Project: Montana Alberta Tie 230 kV International Transmission Line
Certificate: October 22, 2008, Certificate of Compliance; Montana Alberta Tie Ltd.
Date: April 30, 2012
Notice Dates: April 24, 2012 (Great Falls Tribune); April 25, 2010 (Choteau Acantha);
April 26, 2010 (The Independent Observer - Conrad).

The above-referenced Applicants (together "MATL") hereby request to amend the above-referenced Certificate of Compliance ("Certificate") pursuant to Section 75-20-219, MCA. The requested amendment, and the information required to support this request, are set out below and in the included materials.

1. Amendments Requested. The October 2008 Certificate of Compliance issued for this project states that "the selected location represents the best balance of preferred location criteria listed in Circular MFSA-2, including avoidance of impacts to farmland, cost, avoidance of houses, public acceptance, paralleling existing corridors, and use of public lands." MATL believes the approved route and required mitigation provide necessary protections for known landowner issues and regulated resources. The introduction of new information and landowner-driven desire to further minimize the potential for unintentional impacts has led MATL to examine modifications to what is referred to as DEQ's Alternative 4 in two locations. MATL requests the following amendments to the Certificate.

Alternative 4 - Burgmaier Modification:

At Mr. Burgmaier's request, the transmission line corridor would be modified from approximately milepost 18/5 to 20/4 as depicted in Figure A. This proposed alignment modification eliminates diagonal crossings of two parcels currently owned by the Burgmaiers and one they intend to purchase. These parcels are currently enrolled in the Conservation Reserve Program (CRP), but the Burgmaiers would like the structures placed in a manner more compatible with cultivation activities should they remove these parcels from CRP in the future.

Alternative 4 - Maurer Modification:

At Mr. Maurer's request, the transmission line corridor would be modified from approximately milepost 21 to milepost 26 to shift the alignment further to the east, and away from his residence, as depicted in Figure B. While the previously-approved corridor and structure locations avoid impacts to wetlands and cultural features along this reach, this proposed alignment modification is preferred by the landowner based on the increased distance from his residence and an area he qualifies as a low-lying saline seep that he would prefer to remain undisturbed.

2. Public Notice of Amendment Request. Proof that notice of this amendment application was given in accordance with Section 75-20-213(1), MCA, is set forth under **Tab A**.

3. Background of and Reasons For Amendment Request. This amendment is intended to address the requests of the landowners to modify the alignment in two specific locations to address existing and planned land uses adjacent to or impacted by the transmission line. The proposed realignments are described as follows:

- The proposed transmission line alignment modifications do not create new or increased levels of wetland impact from that disclosed in the FEIS prepared in support of the Certificate issued for this project. In fact, a portion of the alignment on the Maurer property was analyzed as part of MATL's preferred route in the MFSA Application, and the FEIS.
- The proposed transmission line alignment modifications have higher potential to encounter cultural resources on the Maurer property; however, MATL is working with the SHPO and THPO to examine the route and specific structure placement to avoid direct impact to currently-identified cultural features.
- The proposed transmission line alignment modifications are either entirely contained on the property of the requesting landowner or the requesting landowner has obtained the written agreement (including agreements to grant necessary easements) from all other contiguous landowners that may be affected (copies of those approvals are attached).
- The proposed transmission line alignment modifications meet tests of engineering, construction, and regulatory feasibility.
- The proposed transmission line alignment modifications do not materially increase structure count or line length; however, timing of approval by DEQ and acceptance by the landowner is of the essence as new structures will need to be ordered in the immediate term to avoid overall project delays.

4. Requirements. In respect to the issues addressed in the application and the FEIS, the application requirements set out in ARM § 17.20.801 *et. seq* and DEQ MFSA Circular 2 were satisfied in MATL's prior filings in respect to the Certificate, which to the extent necessary are incorporated herein by this reference. Pursuant to ARM 17.20.802 and .803, twenty (20) copies of this application are submitted in loose-leaf format.

5. Department decision under Section 75-20-219, MCA. Under Section 75-20-219(1), MCA, within 30 days after notice of an amendment to a certificate is given, the Department is required to determine whether the proposed amendment would result in a material increase in any environmental impact of the facility or a substantial change in the location of all or a portion of a facility as set forth in the certificate. If the Department determines that the proposed amendment would result in a material increase in any environmental impact of the facility or a substantial change in the location of all or a portion of the facility, the Department shall grant, deny, or modify the amendment with conditions as it considers appropriate.

Under Section 75-20-219(2), MCA, if the Department determines that the proposed amendment would not result in a material increase in any environmental impact or would not be a substantial change in the location of the facility, the Department shall automatically grant the amendment either as applied for or upon terms or conditions that the Department considers appropriate.

The proposed amendments do not result in any material increase in any environmental impact and would not be a substantial change in the location of the transmission line.

While the analysis in the FEIS prepared for this project was limited to a 500-foot corridor width, the alignment modification requested by Mr. Burgmaier in this amendment is less than one-quarter (0.25) mile from the approved corridor, and lies within an area with the same terrain and habitat conditions as the approved route.

The Burgmaier Alignment Modification eliminates a diagonal crossing as well as the need for a guyed structure in land currently enrolled in CRP, but which may be cultivated in the future, thus reducing impacts to existing and planned agricultural operations. The alignment shift and pole locations are consistent with the conditions of the certificate to construct the transmission line with monopoles

wherever crossing cropland and land enrolled in the Conservation Reserve Program, and placing structures along field boundaries where the strips are narrower than a full quarter section. The alignment modification requires placement of a guyed structure on land owned by the State of Montana, Department of Natural Resource and Conservation (DNRC). This modification has been coordinated with DNRC staff responsible for stewardship of this parcel.

The Maurer Alignment Modification moves the alignment approximately 0.5 mile further away from the landowner's residence. The modified route lies in a mixture of cultivated land, range land and land in CRP, and has been surveyed for wetlands, weed infestations and cultural resources. The revised route includes higher potential for encountering wetlands and cultural features; however, further field investigations will be conducted during construction and protection measures put into place to minimize impact to identified sensitive resources. This diagonal crossing was proposed by and supported by the affected landowner. The deviation from the previously-approved corridor is approximately 4.0 miles in length and offset by approximately 0.5 mile at most, and would impact three additional landowners.

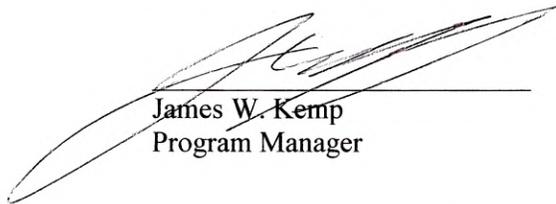
Due to the limited and localized nature of the alignment shift, there are no material changes in the basis of any finding of public interest, convenience and necessity; need; or minimum impact standards, pursuant to subchapter 16.

Because the proposed amendment does not result in any material increase in the environmental impact of the transmission line and does not result in a substantial change in the location of the facility, the Department should automatically grant the amendment under Section 75-20-219(2), MCA.

If the Department determines that the corridor should be in a location materially different from that requested in this application, MATL requests that this amendment application be denied.

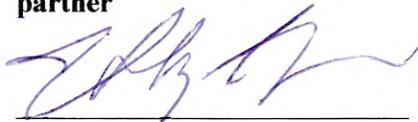
DATED this 30th day of April 2012.

Montana Alberta Tie Ltd.



James W. Kemp
Program Manager

**MATL LLP, by Montana Alberta Tie
US Holdings GP Inc., its general
partner**



Harley Harris
Senior Legal Counsel

Figure A:

Alternative 4 – Burgmaier Modification

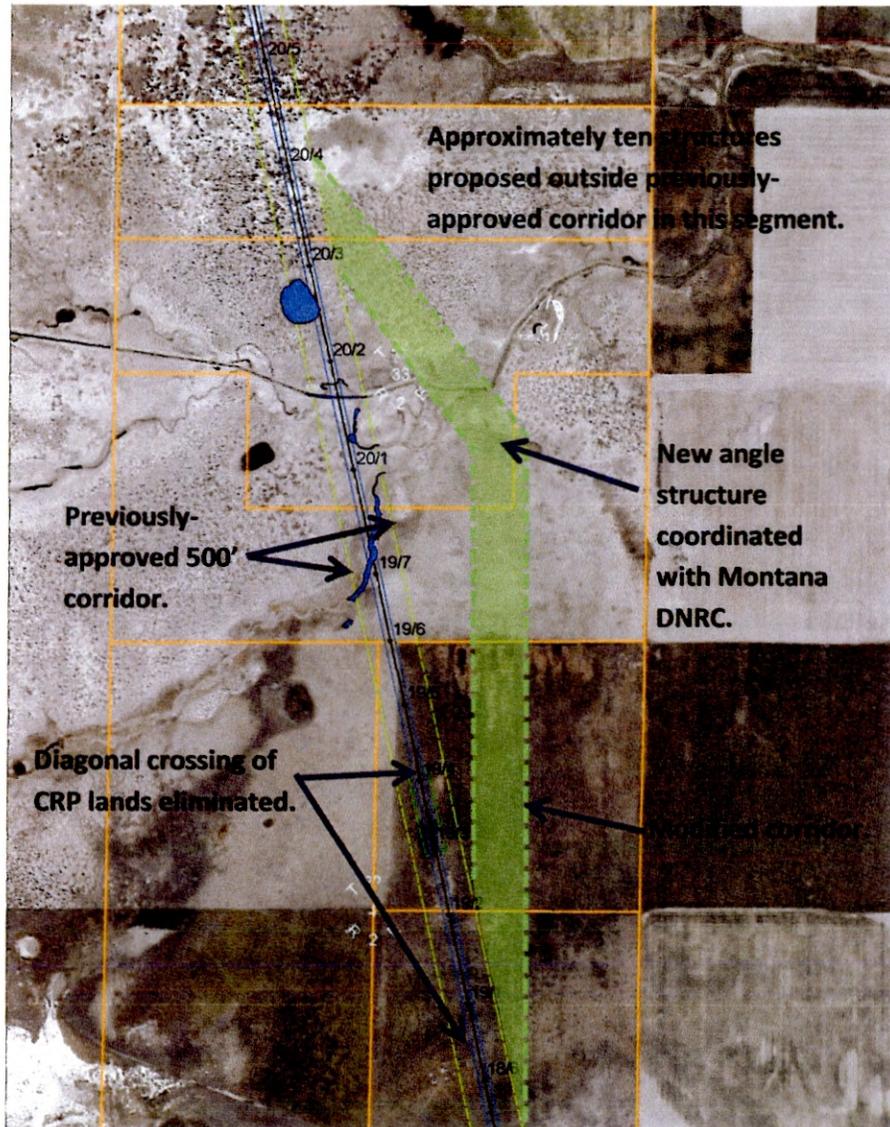
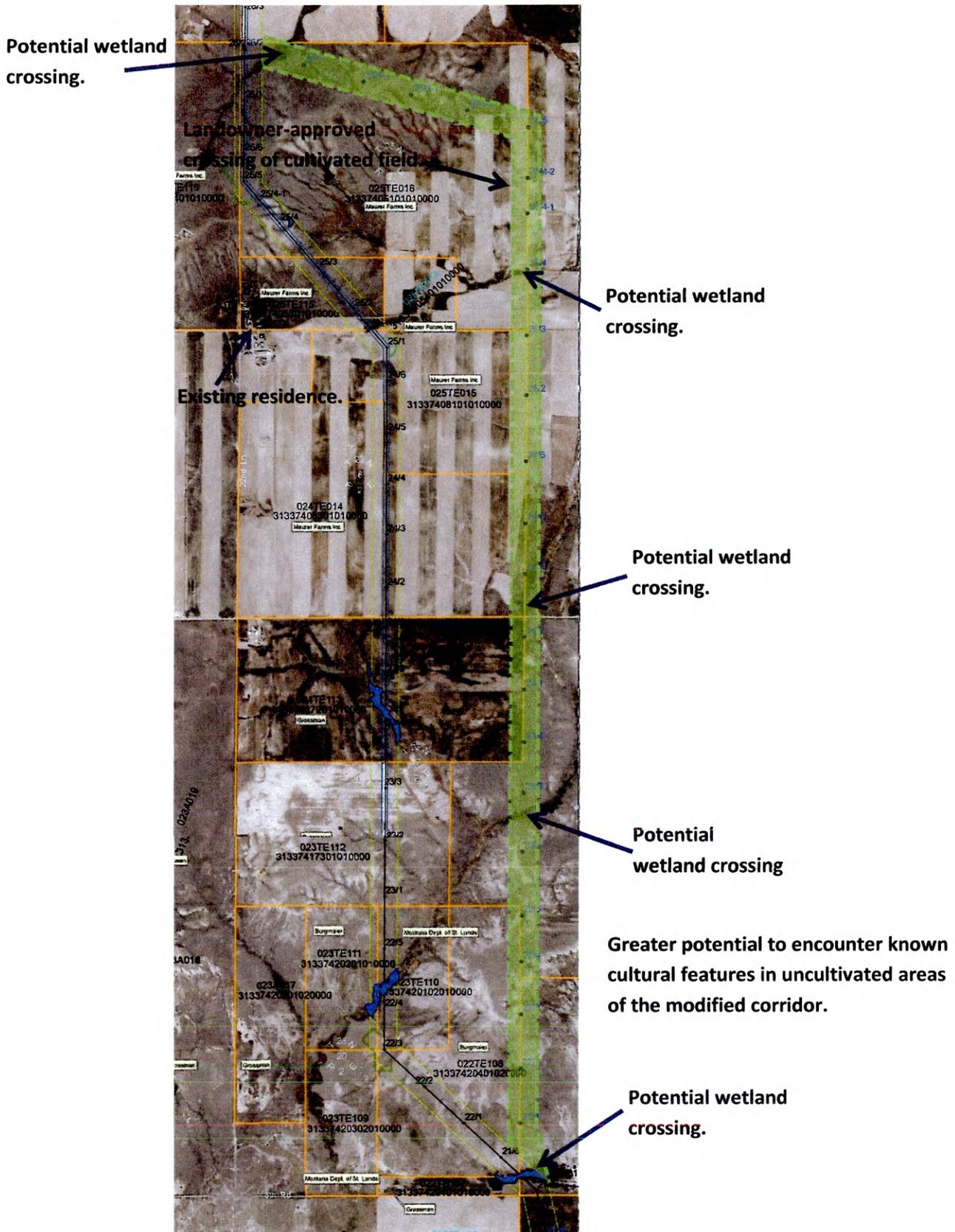


Figure B:

Alternative 4 – Maurer Modification



Tab A

Proof of Public Notice

CERTIFICATE OF SERVICE

This is to certify that on April 30, 2012, I, Lisa Gallegos-Thompson, placed in the United State Mail, postage prepaid, a copy of the attached "Public Notice" to all active parties in Montana Board of Environmental Review Docket Nos. MFS-019, MFS-020, MFS-021, and BER 2010-015 and 016 as required by § 75-20-219(1), MCA, as listed below:

Mr. G. Steven Brown
Power Block Building, Ste. 4-0
7 West 6th Avenue
Helena, MT 59601

Donald & Evelyn Koenig
540 Healy Spring Road
Conrad, MT 59425

Chris Stephens
2340 17 Rd. NE.
Dutton, MT 59433

Ronald & Debbie Laubach
1199 Wilson Road
Power, MT 59468

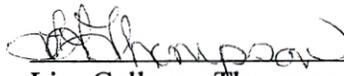
Norman Grosfield
Grosfield Law Firm
P.O. Box 5015
Helena, MT 59604-5015

Hertha Lund
Lund Law, PLLP
502 19th, Ste. 102
Bozeman, MT 59718

Katrina Wilson Martin
1720 24th Lane NE
Dutton, MT 59433

Maurer Farms Inc.
2221 11th Road NE
Power, MT 59468-9208

Jerry McRae
1830 19th Lane NE
Dutton, MT 59433



Lisa Gallegos-Thompson, CP

Michael & Cindy Koenig
319 Second Avenue
Conrad, MT 59425

AFFIDAVIT OF PUBLICATION
THE GREAT FALLS TRIBUNE
205 RIVER DR S
GREAT FALLS, MT 59405
Phone: (406) 791-1444
Toll Free (800) 438-6600

Terri VanLieshout, being first duly sworn deposes and says that GREAT FALLS TRIBUNE COMPANY is a corporation duly incorporated under the laws of the State of Delaware, that the said GREAT FALLS TRIBUNE COMPANY is the printer and publisher of the GREAT FALLS TRIBUNE, a daily newspaper of general circulation of the County of Cascade, State of Montana, and that the deponent is the principal clerk of said GREAT FALLS TRIBUNE COMPANY, printer of the GREAT FALLS TRIBUNE, and that the advertisement here to annexed...

PUBLIC NOTICE - MAURER BURGMIER FINAL

Has been correctly published ONE time in the regular and entire issue of said paper on the following dates:

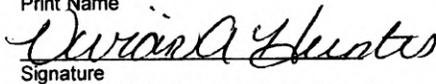
APRIL 24TH 2012


STATE OF MONTANA
County of Cascade

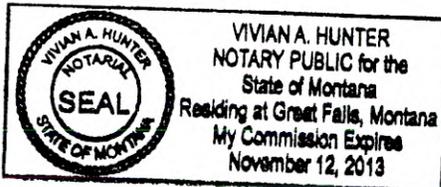
On this 30TH day of APRIL 2012, before me the undersigned, a Notary Public of the State of Montana, personally appeared Terri VanLieshout, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

In witness whereof, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.

Vivian A Hunter
Print Name


Signature

NOTARY PUBLIC for the State of Montana
Residing in Cascade County
My commission expires: 11/12/13



PUBLIC NOTICE
Pursuant to Section 75-20-213(1), MCA, co-permittees Montana Alberta Tie Ltd. and MATL LLP (together MATL) give notice that, on April 30, 2012, they will file with the Montana Department of Environmental Quality (DEQ) an application to amend the October 22, 2008 Certificate of Compliance (Certificate) relating to the Montana Alberta Tie International Transmission Line, as follows:

1. The approved construction corridor would be relocated up to approximately one quarter mile to the east and northeast of the current alignment, beginning approximately at Milepost 18 (Structure No. 18/5, in the SE1/4 SW1/4 of Sec. 4, T. 22 N., R. 2 E., Cascade County), and running north and northwest to where it joins the current construction corridor at approximately milepost 20 (Structure No. 20/4, in the NE1/4 NW1/4 of Sec. 33, T. 23 N., R. 2 E., Teton County). The affected portion of the transmission line is located in Teton and Cascade Counties approximately 10 miles east of Power, Montana.

2. The approved construction corridor would be relocated up to approximately one half to one mile to the east of the current alignment, beginning approximately at Milepost 21 (Structure No. 21/5, in the SW1/4 SW1/4 of Sec. 21, T. 23 N., R. 2 E., Teton County), and running north and northwest to where it joins the current construction corridor at approximately milepost 26 (Structure No. 26/2, in the NW1/4 NW 1/4 of Sec. 5, T. 23 N., R. 2 E., Teton County). The affected portion of the transmission line is located in Teton County approximately 10 miles east northeast of Power, Montana.

3. The approved construction corridor would be relocated (widened) to allow for guy wires and anchors to be placed to the south and west of Structure No. 55/7, located in the SE 1/4 SW 1/4, Sec. 21, T 27 N, R2W, Pondera County, Montana.

A complete copy of the Certificate and MATL's application, including a map depicting the locations of the proposed amended corridor, will be available by calling (406) 443-6430, or on the DEQ's website at: <http://www.deq.mt.gov/MFS/MATL.mcp>.

Pursuant to Section 75-20-219, MCA, DEQ must make a determination on MATL's request within 30 days of the date it is filed with DEQ. Comments on the application submitted by the public and otherwise affected parties must be received by DEQ by close of business on May 7, 2012. There will also be another opportunity to comment on the application during the Montana Environmental Policy Act review process. Comments may be submitted by mail to Tom Ring, DEQ Environmental Management Bureau, P.O. Box 200901, Helena, MT 59620-0901, or electronically at tring@mt.gov.

Montana Alberta Tie Ltd./MATL LLP
30 West 14th, Suite 207
Helena, Montana, 59601
(406) 443-6430

(206587) 04/24

AFFIDAVIT OF PUBLICATION
IN THE

Weekly Newspaper, Choteau, Montana

STATE OF MONTANA }
County of Teton } ss.

Jeff O. Martinsen, being duly Sworn, upon oath deposes and says:

(1) That he is the publisher of THE CHOTEAU ACANTHA, a newspaper of general circulation published weekly at Choteau, Teton County, Montana.

(2) That the notice hereunto attached was published in the said CHOTEAU ACANTHA once each week for ONE (1) successive weeks.

(3) That the first publication of said notice was on the 25TH day of APRIL, 12, and that the last publication was on the 25TH day of APRIL, 12.

(4) That the said notice was published in the regular and entire issue of every number of the said CHOTEAU ACANTHA during the period and time of said publication, and in the newspaper, proper, and not in supplement thereof.

Jeff O. Martinsen

State of Montana
County of Teton

Signed and sworn to before me this 25th day of April, 2012,
by Jeff O. Martinsen.

Melody Martinsen

Melody Martinsen,
Notary Public
for the State of Montana,
residing at Choteau,
Montana.
My Commission
expires Oct. 15, 2012.

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Montana Alberta Tie Ltd./MATL L.L.P.
30 West 14th, Suite 207
Helena, Montana, 59601
(406) 443-6430

Affidavit of Publication

State of Montana)
County of Pondera) ss,

Patricia J. Lee

being only sworn upon her oath says: That she is the Publisher of "The Independent-Observer", a weekly newspaper of general circulation, published weekly at Conrad, in the County of Pondera, State of Montana.

That the notice hereunto attached was published in the said "Independent-Observer" once each week for 1 successive week(s).

That the first publication of said notice was on the 26 day of April, 2012

That the last publication of said notice was on the 26 day of April, 2012

That the said notice was published in the regular and entire issue of every said "Independent-Observer" during the period and time of said publication, and in the newspaper proper, and not in a supplement.

Patricia J. Lee
Title: Publisher

Sworn to and subscribed before me this 26 day of April, 2012

Julie Beaman
Julie Beaman

Notary Public for the State of Montana, residing at Conrad, Montana. My commission expires

July 21, 2012



LEGAL NOTICE

Pursuant to Section 75-20-213(1), MCA, permittees Montana Alberta Tie Ltd. and MATL LLP (together MATL) give notice that, on April 30, 2012, they will file with the Montana Department of Environmental Quality (DEQ) an application to amend the October 22, 2006 Certificate of Compliance (Certificate) relating to the Montana Alberta Tie International Transmission Line, as follows:

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Published April 26, 2012