

Application to Amend Certificate of Compliance

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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: August 13, 2012
Notice Date: August 8, 2012 (Great Falls Tribune)

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. During final design and surveying, several structure location modifications have been made within the approved 500-foot corridor. In this case, the natural terrain has proved to be problematic for the intended location of at least one structure. Moving up to three structures will allow for improved placement for constructability with minimal change in alignment. However, this minor shift will result in the placement of guy anchors outside the previously approved corridor. MATL requests the following amendment to the Certificate.

Hillcrest Colony Modification:

With the consent of the Hillcrest Colony, the structures located from approximately milepost 14/4 to 14/7 would be shifted as follows:

- Structure 14/4 would be moved approximately 69 feet northwest along the existing alignment to bring it out of the center of a drainage to the top of a rounded knob.
- Structure 14/6 would be moved approximately 34 feet southwest to straighten the forward tangent from Structure 14/4 and to place it closer to the fence line on the south edge of a cultivated field.
- Structure 14/7 would be moved approximately 11 feet to modify the line angle and negate the need for guy anchors.

This revision places the back tangent guy anchors for Structure 14/4 outside the currently defined DEQ corridor. The previously-approved 500-foot corridor would be modified as depicted in Figure A. This proposed minor widening would accommodate two guy anchors that will extend beyond the previously-approved 500-foot corridor. The structure will remain within the previously-approved corridor.

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 construction challenges posed by the original design. The proposed modification is described as follows:

- The proposed corridor modification does 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.
- The proposed corridor modification is either entirely contained on the property of the requesting landowner (copies of signed easement agreements have been provided to DEQ).
- The proposed corridor modification meets tests of engineering, construction, and regulatory feasibility.
- The proposed corridor modification does not increase structure count or line length.

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 design modification requested by MATL and supported by the Hillcrest Colony in this amendment is less 100 feet from the approved corridor, and lies within an area with the same terrain and habitat conditions as the approved route.

The Hillcrest Colony modification eliminates a structure in a drainage, thus reducing impacts to potential riparian habitat. The design modification is 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 modification also allows for a structure shift closer to a field boundary and is supported by the owner.

Due to the limited and localized nature of the design change, 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.

DATED this 13th day of August 2012.

Montana Alberta Tie Ltd.



James W. Kemp
Program Manager

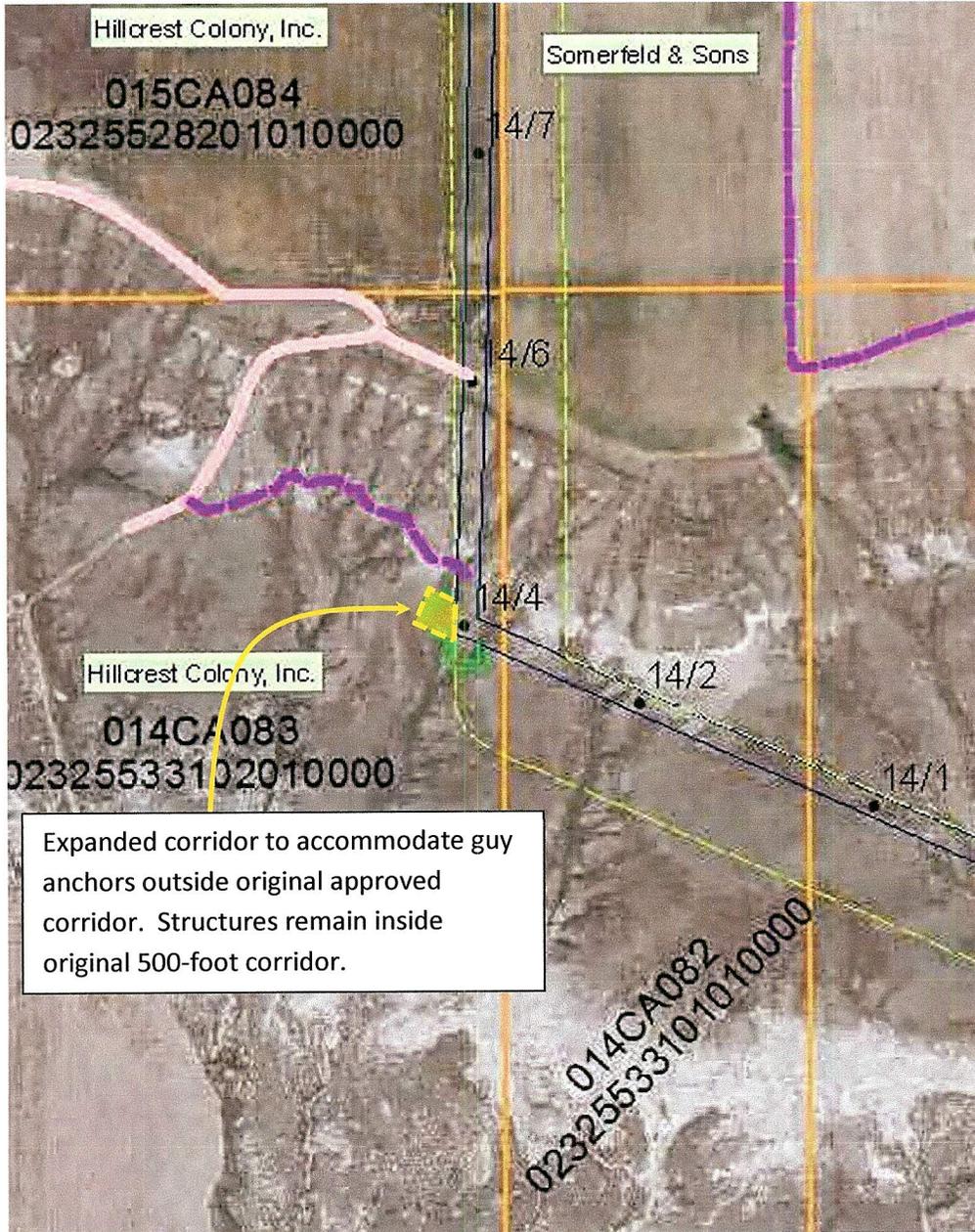
**MATL LLP, by Montana Alberta Tie
US Holdings GP Inc., its general
partner**



Harley Harris
Senior Legal Counsel

Figure A:

Hillcrest Colony Modification



Tab A

Proof of Public Notice

CERTIFICATE OF SERVICE

This is to certify that on August 8, 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:

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Lisa Gallegos-Thompson, CP

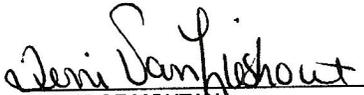
**AFFIDAVIT OF PUBLICATION
THE GREAT FALLS TRIBUNE
205 RIVER DR S
GREAT FALLS, MT 59405
Phone: (406) 791-1444
Toll Free (800) 438-6600**

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 hereto annexed...

PUBLIC NOTICE -- 080212 - HILLCREST

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

AUGUST 8TH 2012


STATE OF MONTANA
County of Cascade

On this 8th day of **AUGUST 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 August 13, 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:
With the consent of the landowner, the structures located from approximately milepost 14/4 to 14/7, southeast of Dutton, would be shifted as follows:
µ Structure 14/4 would be moved approximately 69 feet northwest along the existing alignment to bring it out of the center of the drainage to the top of a rounded knob.
µ Structure 14/6 would be moved approximately 34 feet southwest to straighten the forward tangent from Structure 14/4 and to place it closer to the fence line on the south edge of a cultivated field.
µ Structure 14/7 would be moved approximately 11 feet to modify the line angle and negate the need for guy anchors.
This revision places the back tangent guy anchors for Structure 14/4 outside the currently defined DEQ corridor.

The previously-approved 500-foot corridor would be modified as depicted in Figure A. This proposed minor widening would accommodate two guy anchors that will extend beyond the previously-approved 500-foot corridor. The structure will remain within the previously-approved corridor.
A complete copy of the Certificate and MATL's application, including a map depicting the locations of the proposed amended corridor, is 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 August 22, 2012. 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.
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