

**NOTICE OF TIMING VARIANCES AND ESTABLISHING DEADLINE FOR ANSWERS TO  
PETITION AND OF SPECIAL COMMISSION MEETING ON PETITION FOR  
RECONSIDERATION OF DECEMBER 9, 2020 ORDER DENYING MOTION FOR STAY  
PENDING APPEAL**

Issued: December 17, 2020

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

**In the Matter of Honor the Earth's October 27, 2020 Petition for Investigation and Complaint  
Concerning the Capacity of the Enbridge Mainline System**

**PUC Docket Numbers:** PL9/CN-14-916, PL9/PPL-15-137, and PL9/C-20-801

**Variations**

Based on the December 17, 2020, Petition for Reconsideration of Order Denying Motion for Stay Pending Appeal filed by the Red Lake Band of Chippewa and the White Earth Band of Ojibwe, the Commission's Executive Secretary finds exigent circumstances to vary notice requirements pursuant to Minn. Rule 7829.1200 and will schedule a hearing to take up the Motion on December 23, 2020.

The Executive Secretary also finds good cause pursuant to Minn. Rule 7829.1275 to modify the deadline for filing Answers to the Motion and will establish a deadline of noon on December 22, 2020.

**Establishing Deadline for Answers to Motion**

**Answer Period:** Answers to Petition are due by **December 22, 2020, at 12:00 p.m.**

*Answers received after the close of the answer period may or may not be considered by the Commission.*

**Topics for Comment:**

- Should the Commission reconsider its December 9, 2020 Order Denying Motion for Stay Pending Appeal?

**Background:** On December 17, 2020, a Petition for Reconsideration of Order Denying Motion for Stay Pending Appeal was filed by the Red Lake Band of Chippewa and the White Earth Band of Ojibwe. The Red Lake Band of Chippewa and the White Earth Band of Ojibwe have requested that the Commission (i) reconsider its December 9, 2020 Order Denying Motion for Stay Pending Appeal, and grant a stay; and (ii) deny any request for a security bond, if a stay is granted.

**Notice of Special Commission Meeting**

This item will be heard as the first item at the following special Commission meeting, before the other items already noticed for that meeting:

**Date:** Wednesday, December 23, 2020

**Time:** 9:15 a.m.

**Location:** Online via WebEx (See attached instructions)

Occasionally items may need to be rescheduled. Commission staff will make all reasonable efforts to notify you if your item is rescheduled. However, if you wish to confirm this hearing date, please visit the Commission's Web calendar at [mn.gov/puc](http://mn.gov/puc) or call 651-296-0406 or 1-800-657-3782.

**Filing Requirements:** Utilities, telecommunications carriers, official parties, and state agencies are required to file documents using the Commission's electronic filing system (eFiling). All parties, participants and interested persons are encouraged to use eFiling: [mn.gov/puc](http://mn.gov/puc), select *eDockets* and follow the prompts.

**Submit Public Comments:**

**Online:** Please visit [mn.gov/puc](http://mn.gov/puc), select *Comment* and follow the prompts.

**Email:** [publicadvisor.puc@state.mn.us](mailto:publicadvisor.puc@state.mn.us)

**U.S. Mail:** Minnesota Public Utilities Commission – Public Advisor  
121 7th Place East, Suite 350  
St. Paul, MN 55101

**Full Case Record:** See all documents filed in this matter via the Commission's website at [mn.gov/puc](http://mn.gov/puc), select *eDockets*, enter the year (14) and the docket number (916) or year (15) and the docket number (137) or year (20) and the docket number (801), and select *Search*.

**Subscribe to the Docket:** To receive email notification when new documents are filed in this matter visit: <https://www.edockets.state.mn.us/EFiling>, select *Subscribe to Dockets* and follow the prompts.

**Change your mailing preferences:** E-mail [docketing.puc@state.mn.us](mailto:docketing.puc@state.mn.us) or call 651-201-2234

**Questions about Commission process and procedure?** Contact Scott Ek at 651-201-2255 or [scott.ek@state.mn.us](mailto:scott.ek@state.mn.us).

If reasonable accommodations are needed to enable you to fully participate in a Commission meeting, please call 651-296-0406 or 1-800-657- 3782 at least one week in advance of the meeting or email [consumer.puc@state.mn.us](mailto:consumer.puc@state.mn.us) for assistance.

To request this document in alternative formats, such as large print or audio, call 651-296-0406 (voice). Persons with a hearing or speech impairment may call us through their preferred Telecommunications Relay Service or email [consumer.puc@state.mn.us](mailto:consumer.puc@state.mn.us) for assistance.

Meeting Date: December 23, 2020

Due to the ongoing health pandemic, the Executive Secretary has determined that an in-person or interactive TV meeting of the Minnesota Public Utilities Commission (Commission) is impractical, and that it is not feasible to allow the public or Commission employees to be physically present in the regular meeting location. The Commission will hold its public meetings online using the WebEx platform. Members of the public may view the Commission's meetings by watching the webcast, or by listening to the Commission meetings by calling in, using the attached instructions.

These changes are being made based on social distancing guidance from the Minnesota Department of Health, and on Executive Orders. It is anticipated that these changes will be in effect through the duration of the peacetime emergency and will be modified as health-based guidelines are revised.

- Due to the high volume of users interested in observing the Commission's proceedings, we are asking members of the general public who will not have a speaking role during the Commission meeting to use the phone option to listen to the meeting, or to observe the meeting via the webcast.
- The Commission calendar posting for agenda meetings will include a link to the webcast, a dial-in number and access code to join the meeting over the phone. Detailed instructions for joining the meeting are provided on page 2.
- Individuals who need assistance before the meeting should contact Paula Hoena at 651-201-2211 or [Paula.Hoena@state.mn.us](mailto:Paula.Hoena@state.mn.us). Individuals experiencing technical problems during the meeting should contact Mary Swoboda at 651-201-2244 or [Mary.Swoboda@state.mn.us](mailto:Mary.Swoboda@state.mn.us).
- Parties to dockets scheduled for an agenda meeting will receive a separate invitation from Commission staff to allow them to join as a speaking member.
- Members of the public may provide written comments through the [online Comment Form](#), mail, e-mail to [consumer.puc@state.mn.us](mailto:consumer.puc@state.mn.us), fax, or eFiling. More instructions are available on the [Public Comments webpage](#). Members of the public may be invited to speak during hearings at the discretion of the Commission chair. If you would like to speak during a Commission meeting, please make that request to Paula Hoena at least two hours before the hearing is scheduled to begin. Given the technical limitations of conducting the meeting online, the public is encouraged to provide written comments in advance.
- In the event of technological disruption, the Commission has reserved a conference phone line in order to conduct the Commission's business.

The Commission will continue to develop the remote meeting technologies and may update these instructions in the future. The most updated version of these instructions are available at <https://mn.gov/puc/newsroom/webex/>.

# Commission Viewing Instructions

## Streaming Link

If you are a member of the general public and would like to view the proceedings, please watch via the Commission's [webcast](#).

## Phone only

- 1) Call the phone number\* of the meeting.
- 2) Enter the **Attendee Access Code**\* when prompted, followed by the # sign. Enter the # again.
- 3) The attendee is now connected via phone to the audio portion of the meeting.

\*The dial-in phone number and attendee access code will be made available closer to the meeting date.

## Technology Issues

In the event that the WebEx meeting platform is unable to allow the Commission meeting to proceed, the Chair will recess the meeting and reconvene it for a telephonic meeting. Please call the phone number listed on the Commission's calendar posting and then enter the meeting's code when prompted.

**CERTIFICATE OF SERVICE**

I, Robin Benson, hereby certify that I have this day, served a true and correct copy of the following document to all persons at the addresses indicated below or on the attached list by electronic filing, electronic mail, courier, interoffice mail or by depositing the same enveloped with postage paid in the United States mail at St. Paul, Minnesota.

**Minnesota Public Utilities Commission  
NOTICE OF TIMING VARIANCES AND ESTABLISHING DEADLINE FOR ANSWERS TO  
PETITION AND OF SPECIAL COMMISSION MEETING ON PETITION FOR  
RECONSIDERATION OF DECEMBER 9, 2020 ORDER DENYING MOTION FOR STAY  
PENDING APPEAL**

Docket Number **PL9/CN-14-916, PL9/PPL-15-137, and PL9/C-20-801**

Dated this 17th day of December, 2020

/s/ Robin Benson

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Generic Notice	Commerce Attorneys	commerce.attorneys@ag.state.mn.us	Office of the Attorney General-DOC	445 Minnesota Street Suite 1400  St. Paul, MN 55101	Electronic Service	Yes	OFF_SL_15-137_Official
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Thomas	Hingsberger	thomas.j.hingsberger@usace.army.mil	Corps of Engineers, St. Paul District	180 5th St E Ste 700  Saint Paul, MN 55101	Electronic Service	No	OFF_SL_15-137_Official
Kari	Howe	kari.howe@state.mn.us	DEED	332 Minnesota St, #E200 1ST National Bank Bldg St. Paul, MN 55101	Electronic Service	No	OFF_SL_15-137_Official
Samuel	Jackson	sam@cummins-law.com		1245 International Centre 920 Second Ave South Minneapolis, MN 55402	Electronic Service	No	OFF_SL_15-137_Official
Arshia	Javaherian	arshia.javaherian@enbridge.com	Enbridge Energy	26 East Superior Street Suite 309 Duluth, MN 55802	Electronic Service	No	OFF_SL_15-137_Official
Ray	Kirsch	Raymond.Kirsch@state.mn.us	Department of Commerce	85 7th Place E Ste 500  St. Paul, MN 55101	Electronic Service	No	OFF_SL_15-137_Official
Anthony	Kit	a.kit@kghl.net		2828 N Harwood St Suite 1240  Dallas, TX 75202	Electronic Service	No	OFF_SL_15-137_Official
Rachel	Kitze Collins	rakitzecollins@locklaw.com	Lockridge Grindeal Nauen PLLP	100 Washington Ave S Suite 2200 Minneapolis, MN 55401	Electronic Service	No	OFF_SL_15-137_Official
Michelle	Lommel	mlommel@GREnergy.com	Great River Energy	12300 Elm Creek Blvd  Maple Grove, MN 55369	Electronic Service	No	OFF_SL_15-137_Official

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Patrick	Mahlberg	pmahlberg@fredlaw.com	Fredrikson & Byron, P.A.	200 S 6th St Ste 4000  Minneapolis, MN 55402	Electronic Service	No	OFF_SL_15-137_Official
Philip	Mahowald	pmahowald@thejacobsonlawgroup.com	Jacobson Law Group	180 East Fifth Street Suite 940  St. Paul, MN 55101	Electronic Service	Yes	OFF_SL_15-137_Official
Joseph	Martoglio	Joseph.R.Martoglio@jpmchase.com		N/A	Electronic Service	No	OFF_SL_15-137_Official
Brian	Meloy	brian.meloy@stinson.com	STINSON LLP	50 S 6th St Ste 2600  Minneapolis, MN 55402	Electronic Service	No	OFF_SL_15-137_Official
John	Munter	mumooatthefarm@yahoo.com		14860 Bruce Crk Rd  Warba, MN 55793	Electronic Service	No	OFF_SL_15-137_Official
Michael	Murphy	mmurphy@thejacobsonlawgroup.com		180 East Fifth Street Suite 940 St. Paul, MN 55101	Electronic Service	No	OFF_SL_15-137_Official
Charles	Nauen	cnnauen@locklaw.com	Lockridge Grindal Nauen	Suite 2200 100 Washington Avenue South Minneapolis, MN 55401	Electronic Service	No	OFF_SL_15-137_Official
Ann	O'Reilly	ann.oreilly@state.mn.us	Office of Administrative Hearings	PO Box 64620  St. Paul, MN 55101	Electronic Service	No	OFF_SL_15-137_Official
Marsha	Parlow	mparlow@greenergy.com	Great River Energy	12300 Elm Creek Boulevard  Maple Grove, MN 553694718	Electronic Service	No	OFF_SL_15-137_Official
Alice	Peterson	N/A		24153 300th St NW  Argyle, MN 56713	Paper Service	No	OFF_SL_15-137_Official

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Joseph	Plumer	joep@whiteearth.com	Red Lake Band of Chippewa Indians	P.O. Box 567 Red Lake, Minnesota 56671	Electronic Service	No	OFF_SL_15-137_Official
Craig	Poorker	cpoorker@grenergy.com	Great River Energy	12300 Elm Creek Boulevard Maple Grove, MN 55369	Electronic Service	No	OFF_SL_15-137_Official
Kevin	Pranis	kpranis@liunagro.com	Laborers' District Council of MN and ND	81 E Little Canada Road St. Paul, Minnesota 55117	Electronic Service	No	OFF_SL_15-137_Official
James W.	Reents	jwreents@gmail.com		4561 Alder Ln NW Hackensack, MN 56452	Electronic Service	Yes	OFF_SL_15-137_Official
Generic Notice	Residential Utilities Division	residential.utilities@ag.state.mn.us	Office of the Attorney General-RUD	1400 BRM Tower 445 Minnesota St St. Paul, MN 551012131	Electronic Service	Yes	OFF_SL_15-137_Official
Stephan	Roos	stephan.roos@state.mn.us	MN Department of Agriculture	625 Robert St N Saint Paul, MN 55155-2538	Electronic Service	No	OFF_SL_15-137_Official
Akilah	Sanders Reed	akilah.project350@gmail.com		2514 Emerson Ave S Apt 7 Minneapolis, Minnesota 55405	Electronic Service	Yes	OFF_SL_15-137_Official
Claudia	Schrull	CLAUDIA.SCHRULL@ENBRIDGE.COM	Enbridge Pipelines (North Dakota) LLC	Suite 3300 1100 Louisiana Houston, TX 77002	Electronic Service	No	OFF_SL_15-137_Official
Will	Seuffert	Will.Seuffert@state.mn.us	Public Utilities Commission	121 7th PI E Ste 350 Saint Paul, MN 55101	Electronic Service	Yes	OFF_SL_15-137_Official

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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Richard	Smith	grizrs615@gmail.com	Friends of the Headwaters	P.O. Box 583  Park Rapids, MN 56470	Electronic Service	No	OFF_SL_15-137_Official
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Scott	Strand	SStrand@elpc.org	Environmental Law & Policy Center	60 S 6th Street Suite 2800 Minneapolis, MN 55402	Electronic Service	Yes	OFF_SL_15-137_Official
Eric	Swanson	eswanson@winthrop.com	Winthrop & Weinstine	225 S 6th St Ste 3500 Capella Tower Minneapolis, MN 554024629	Electronic Service	Yes	OFF_SL_15-137_Official
Christine	Tezak	tezak@cvenergy.com		209 Constitution Avenue, NE  Washington, DC 20002	Electronic Service	No	OFF_SL_15-137_Official
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First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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James	Watts	james.watts@enbridge.com	Enbridge Pipelines (North Dakota) LLC	26 E Superior St Ste 309  Duluth, MN 55802	Electronic Service	No	OFF_SL_15-137_Official
Kenneth	Westlake	westlake.kenneth@epa.gov	US Environmental Protection Agency	Environmental Planning & Evaluation Unit 77 W Jackson Blvd. Mailstop B-19J Chicago, IL 60604-3590	Electronic Service	No	OFF_SL_15-137_Official
Jonathan	Wolfgram	Jonathan.Wolfgram@state.mn.us	Office of Pipeline Safety	Minnesota Department of Public Safety 445 Minnesota Street Suite 147  St. Paul, MN 55101-1547	Electronic Service	No	OFF_SL_15-137_Official
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Paul	Blackburn	paul@honorearth.org		PO Box 63 Callaway, MN 56521	Electronic Service	No	OFF_SL_20-801_C-20-801

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Generic Notice	Commerce Attorneys	commerce.attorneys@ag.state.mn.us	Office of the Attorney General-DOC	445 Minnesota Street Suite 1400  St. Paul, MN 55101	Electronic Service	Yes	OFF_SL_20-801_C-20-801
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First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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Philip	Mahowald	pmahowald@thejacobsonlawgroup.com	Jacobson Law Group	180 East Fifth Street Suite 940 St. Paul, MN 55101	Electronic Service	No	OFF_SL_20-801_C-20-801
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Michael	Murphy	mmurphy@thejacobsonlawgroup.com		180 East Fifth Street Suite 940 St. Paul, MN 55101	Electronic Service	No	OFF_SL_20-801_C-20-801
Charles	Nauen	cnnauen@locklaw.com	Lockridge Grindal Nauen	Suite 2200 100 Washington Avenue South Minneapolis, MN 55401	Electronic Service	No	OFF_SL_20-801_C-20-801
Ann	O'Reilly	ann.oreilly@state.mn.us	Office of Administrative Hearings	PO Box 64620 St. Paul, MN 55101	Electronic Service	No	OFF_SL_20-801_C-20-801

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Andrew	Pearson	stopthewar24@gmail.com		2629 18th Ave S Apt 2  Minneapolis, MN 55407	Electronic Service	No	OFF_SL_20-801_C-20-801
Alice	Peterson	N/A		24153 300th St NW  Argyle, MN 56713	Paper Service	No	OFF_SL_20-801_C-20-801
Abbie	Plouff	abbie.plouff@gmail.com		308 E Prince St Apt 522 St. Paul, MN 55101	Electronic Service	No	OFF_SL_20-801_C-20-801
Joseph	Plumer	joep@whiteearth.com	Red Lake Band of Chippewa Indians	P.O. Box 567  Red Lake, Minnesota 56671	Electronic Service	No	OFF_SL_20-801_C-20-801
Craig	Poorker	cpoorker@grenergy.com	Great River Energy	12300 Elm Creek Boulevard  Maple Grove, MN 55369	Electronic Service	No	OFF_SL_20-801_C-20-801
Kevin	Pranis	kpranis@liunagroc.com	Laborers' District Council of MN and ND	81 E Little Canada Road  St. Paul, Minnesota 55117	Electronic Service	No	OFF_SL_20-801_C-20-801
James W.	Reents	jwreents@gmail.com		4561 Alder Ln NW  Hackensack, MN 56452	Electronic Service	No	OFF_SL_20-801_C-20-801
Generic Notice	Residential Utilities Division	residential.utilities@ag.state.mn.us	Office of the Attorney General-RUD	1400 BRM Tower 445 Minnesota St St. Paul, MN 551012131	Electronic Service	Yes	OFF_SL_20-801_C-20-801

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Jean	Ross	jfross@umn.edu		3624 Bryant Ave S  Minneapolis, MN 55409	Electronic Service	No	OFF_SL_20-801_C-20-801
Akilah	Sanders Reed	akilah.project350@gmail.com		2514 Emerson Ave S Apt 7 Minneapolis, Minnesota 55405	Electronic Service	No	OFF_SL_20-801_C-20-801
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Claudia	Schrull	CLAUDIA.SCHRULL@EN BRIDGE.COM	Enbridge Pipelines (North Dakota) LLC	Suite 3300 1100 Louisiana Houston, TX 77002	Electronic Service	No	OFF_SL_20-801_C-20-801
Will	Seuffert	Will.Seuffert@state.mn.us	Public Utilities Commission	121 7th PI E Ste 350  Saint Paul, MN 55101	Electronic Service	Yes	OFF_SL_20-801_C-20-801
Janet	Shaddix Elling	jshaddix@janetshaddix.com	Shaddix And Associates	7400 Lyndale Ave S Ste 190  Richfield, MN 55423	Electronic Service	No	OFF_SL_20-801_C-20-801
Eileen	Shore	eileenshore@outlook.com	Friends of the Headwaters	3137 42nd Ave So  Minneapolis, MN 55406	Electronic Service	No	OFF_SL_20-801_C-20-801
Mollie	Smith	msmith@fredlaw.com	Fredrikson Byron PA	Suite 4000 200 South Sixth Street Minneapolis, MN 554021425	Electronic Service	No	OFF_SL_20-801_C-20-801

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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Sara	Van Norman	sara@svn.legal	Van Norman Law, PLLC	Van Norman Law, PLLC 310 4th Ave. S., Ste. 5010 Minneapolis, MN 55415	Electronic Service	No	OFF_SL_20-801_C-20-801
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Janice	Vraa	N/A		22070 512th Ln  McGregor, MN 55760	Paper Service	No	OFF_SL_20-801_C-20-801
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First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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Jonathan	Wolfgram	Jonathan.Wolfgram@state.mn.us	Office of Pipeline Safety	Minnesota Department of Public Safety 445 Minnesota Street Suite 147 St. Paul, MN 55101-1547	Electronic Service	No	OFF_SL_20-801_C-20-801
David	Zoll	djzoll@locklaw.com	Lockridge Grindal Nauen PLLP	100 Washington Ave S Ste 2200  Minneapolis, MN 55401	Electronic Service	No	OFF_SL_20-801_C-20-801

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Annie	Felix Gerth	annie.felix-gerth@state.mn.us		Board of Water & Soil Resources 520 Lafayette Rd Saint Paul, MN 55155	Electronic Service	No	SPL_SL__Agency Reps
Todd	Green	Todd.A.Green@state.mn.us	Minnesota Department of Labor & Industry	443 Lafayette Rd N  St. Paul, MN 55155-4341	Electronic Service	No	SPL_SL__Agency Reps
STACY	KOTCH EGSTAD	Stacy.Kotch@state.mn.us	MINNESOTA DEPARTMENT OF TRANSPORTATION	395 John Ireland Blvd.  St. Paul, MN 55155	Electronic Service	No	SPL_SL__Agency Reps
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Dawn S	Marsh	dawn_marsh@fws.gov	U.S. Fish & Wildlife Service	Minnesota-Wisconsin Field Offices 4101 American Blvd E Bloomington, MN 55425	Electronic Service	No	SPL_SL__Agency Reps



First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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Cynthia	Warzecha	cynthia.warzecha@state.mn.us	Minnesota Department of Natural Resources	500 Lafayette Road Box 25 St. Paul, Minnesota 55155-4040	Electronic Service	No	SPL_SL__Agency Reps
Kenneth	Westlake	westlake.kenneth@epa.gov	US Environmental Protection Agency	Environmental Planning & Evaluation Unit 77 W Jackson Blvd. Mailstop B-19J Chicago, IL 60604-3590	Electronic Service	No	SPL_SL__Agency Reps
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