



**FRYBERGER,
BUCHANAN,
SMITH &
FREDERICK, P.A.**
www.fryberger.com

HAROLD A. FREDERICK
DEXTER LARSEN*
JAMES H. STEWART*
ROBERT E. TOFFEY*
MICHAEL K. DONOVAN
NEAL J. HESSEN*
JOSEPH J. MIHALEK*
SHAWN M. DUNLEVY*
DAVID R. OBERSTAR*
MICHAEL COWLES*
STEPHANIE A. BALL*
PAUL B. KILGORE*
MARY FRANCES SKALA*§

KEVIN T. WALLI
DANIEL D. MADDY[†]
PAUL A. LORAAS*
DONALD C. ERICKSON*
MELISSA B. MALONEY
DANIEL P. BAKKEN*
MATTHEW H. HANKA
DEHLIA C. SEIM
MIA E. THIBODEAU
JOHN R. GASELE
ERIC S. JOHNSON
ADAM D. CHELSETH

R. BRUCE BUCHANAN,
RETIRED
MARTHA M. MARKUSEN,
COUNSEL

NICK SMITH (1936-2007)
H.B. FRYBERGER, JR. (1906-1997)
LOREN W. SANFORD (1931-1978)
AMASA E. WHEELER (1889-1970)
H.B. FRYBERGER, SR. (1865-1937)

*Also Licensed in Wisconsin
[†] Also Licensed in Arizona
Also Licensed in Michigan
§ Also Licensed in North Dakota

PLEASE RESPOND TO DULUTH OFFICE

March 31, 2009

Dr. Burl W. Haar
Minnesota Public Utilities Commission
350 Metro Square Building
121 Seventh Place East
St. Paul, MN 55101

**VIA US MAIL AND
E-FILING**

**Re: In the Matter of the Application of Enbridge Energy, Limited Partnership and Enbridge Pipelines (Southern Lights) L.L.C. for a Pipeline Routing Permit for the Alberta Clipper and Southern Lights Diluent Projects
MPUC Docket No. PPL-07-361**

Dear Dr. Haar:

I am pleased to provide the attached letter on behalf of Enbridge Energy, Limited Partnership and Enbridge Pipelines (Southern Lights) LLC. In light of this new information, Enbridge requests that the Minnesota Public Utilities Commission place the above-captioned matter on the docket at its earliest convenience to consider the final section of the proposed route for these projects through the Fond du Lac Reservation.

Sincerely,

/s/ Kevin T. Walli

Kevin T. Walli

cc: Attached Service List
M:\DOCS\12554\000099\LTR\LL5540.DOC

DULUTH OFFICE
302 W SUPERIOR STREET
SUITE 700
DULUTH, MINNESOTA 55802
PHONE (218) 722-0861
FAX (218) 725-6800

SUPERIOR OFFICE
1409 HAMMOND AVENUE
SUITE 330
SUPERIOR, WISCONSIN 54880
PHONE (715) 392-7405
FAX (715) 392-7407

ST. PAUL OFFICE
THE FIRST NATIONAL BANK BUILDING
332 MINNESOTA STREET
SUITE WEST 1260
ST. PAUL, MINNESOTA 55101
PHONE (651) 221-1044
FAX (651) 221-1035

MPUC Docket No. PL-9/PPL-07-361 (Route)

**STATE OF MINNESOTA
PUBLIC UTILITIES COMMISSION**

SERVICE LIST

Burl W. Haar Executive Secretary Minnesota Public Utilities Commission 350 Metro Square Building 121 Seventh Place East St. Paul, MN 55101	Sharon Ferguson Docket Coordinator Minnesota Department of Commerce 85 Seventh Place E., Suite 500 St. Paul, MN 55101
Larry Hartman Planning Director Minnesota Department of Commerce 85 Seventh Place E., Suite 500 St. Paul, MN 55101	Bret Eknes Minnesota Public Utilities Commission 350 Metro Square Building 121 Seventh Place East St. Paul, MN 55101
John Lindell Minnesota Office of the Attorney General 900 BRM Tower 445 Minnesota Street St. Paul, MN 55101	Julia Anderson Minnesota Office of Attorney General 1400 Bremer Tower 445 Minnesota Street St. Paul, MN 55101
Karen Finstad Hammel Minnesota Office of Attorney General 1400 Bremer Tower 445 Minnesota Street St. Paul, MN 55101	Valerie M. Means Office of Attorney General Telecommunications and Energy Division 445 Minnesota Street, Suite 1400 St. Paul, MN 55101
Thomas E. Bailey Briggs & Morgan, P.A. 2200 IDS Center 80 South 8 th Street Minneapolis, MN 55402	The Honorable Eric L. Lipman Office of Administrative Hearings 600 North Robert Street St. Paul, MN 55101
Kevin S. Reuther Minnesota Center for Environmental Advocacy 26 E. Exchange Street, Suite 206 St. Paul, MN 55101	Sara K. Van Norman Jacobson, Buffalo Suite 210 1360 Energy Park Drive St. Paul, MN 55108
Jon Erik Kingstad Lake Elmo Bank Building, Suite 260 600 Inwood Avenue North Oakdale, MN 55128	Jennifer O. Smestad Associate General Counsel Otter Tail Corporation 215 South Cascade Street, P.O. Box 496 Fergus Falls, MN 56538-0496

STATE OF MINNESOTA
PUBLIC UTILITIES COMMISSION

AFFIDAVIT OF SERVICE

STATE OF MINNESOTA)
) ss.
COUNTY OF ST. LOUIS)

Barbara S. Ries, of the City of Duluth, County of St. Louis, State of Minnesota, being first duly sworn, deposes and says that on the 31st day of March, 2009, she served the joint letter from Enbridge Energy, Limited Partnership, Enbridge Pipelines (Southern Lights) and the Fond du Lac Band of Lake Superior Chippewa on all said persons on the attached Service List, true and correct copies, by electronic filing and U.S. mail.

/s/ Barbara S. Ries
Barbara S. Ries

Subscribed and sworn to before me this
31st day of March, 2009.

/s/ Bonnie J. Severance
Notary Public

My commission expires January 31, 2010.



March 30, 2009

Elizabeth Orlando
U.S. Department of State
OES/ENV Room 2657
Washington, DC 20520

Tamara Cameron
Chief, Regulatory Branch
Department of the Army
St. Paul District Corps of Engineers
190 Fifth Street East, Suite 401
St. Paul, MN 55101-1638

Burl Harr
Executive Secretary
Minnesota Public Utilities Commission
350 Metro Square Building
121 Seventh Place East
St. Paul, MN 55101

Re: Terms reached between Fond du Lac Band and Enbridge regarding Alberta Clipper and Southern Lights Pipeline Route.

Dear Ms. Orlando, Mr. Harr, and Ms. Cameron:


The Fond du Lac Band of Lake Superior Chippewa (the "Band") and Enbridge Energy Limited Partnership and Enbridge Pipelines (Southern Lights) L.L.C. (collectively "Enbridge"), are very pleased to announce that they have reached an agreement in principle that now allows the Alberta Clipper and Southern Lights Diluent pipeline projects (the "Projects") to proceed along Enbridge's existing pipeline route through the Band's Reservation in northern Minnesota. The Band and Enbridge jointly submit this letter to inform all state and federal agencies involved in the permitting for the Projects that both the Band and Enbridge now prefer the existing route through the Reservation (to-date denominated the "Fond du Lac Alternative") for siting the Projects. The Band and Enbridge jointly ask that all agencies issue permits for the existing Reservation corridor as opposed to the proposed new route around the Reservation (to date denominated the "Preferred Route"). The Band and Enbridge agree that the Reservation route is environmentally-preferable to the Preferred Route or any other alternative route that may be proposed or under consideration by the permitting agencies. As there is no remaining financial dispute between the parties, the Reservation route is now practicable and feasible and the Band and Enbridge request that the permitting agencies authorize the construction of the Projects within the existing Enbridge corridor on the Reservation.

While the Band and Enbridge's financial terms are confidential, the relevant features of the Parties' agreement for purposes of permitting are as follows:

1. The Band will deliver to Enbridge valid and enforceable easements for Enbridge's four existing pipelines and the proposed two additional pipelines and appurtenances in and adjacent to the existing right-of-way corridor through the Reservation for a period of 20 years in exchange for certain consideration.
2. The Band will not participate in any opposition to the Projects, but may comment on environmental or other matters directly affecting the Band or its Reservation.
3. The Band and Enbridge will cooperate and assist one another in timely requesting and obtaining all required consents and approvals for construction of the Projects through the Reservation from the Bureau of Indian Affairs and other agencies. Both parties are aware of the relevant timelines for environmental and cultural review, and are committed to full cooperation with all state and federal agencies.

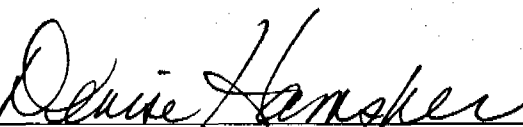
The Band and Enbridge look forward to a successful partnership going forward. Please let us know of any questions.

FOND DU LAC BAND OF LAKE SUPERIOR
CHIPPEWA

By: 
Karen Diver,
Chairwoman,
Reservation Business Committee

ENBRIDGE ENERGY LIMITED PARTNERSHIP
BY ENBRIDGE PIPELINES (LAKEHEAD)
L.L.C
AS GENERAL PARTNER

ENBRIDGE PIPELINES (SOUTHERN
LIGHTS) L.L.C.

By: 
Denise Hamscher,
Director of Public, Government and
Regulatory Affairs

- c: Sara Van Norman, Jacobson, Buffalo, Magnuson, Anderson, & Hogen, P.C.
Dennis Peterson, Tribal Attorney, Fond du Lac Band
Kenneth A. Westlake, Supervisor, NEPA Implementation,
Environmental Protection Agency
Terry Virden, Regional Director, Bureau of Indian Affairs Midwest Regional Office
Warren Heisler, Superintendent, Bureau of Indian Affairs Minnesota Agency
Kevin Walli, Fryberger, Buchanan, Smith & Frederick, P.A.
Matthew Langan, Minnesota Department of Natural Resources