



April 21, 2020

Ms. Lisa Felice
Michigan Public Service Commission
7109 W. Saginaw Hwy.
P. O. Box 30221
Lansing, MI 48909

Via E-filing

RE: MPSC Case No. U-20763

Dear Ms. Felice:

The following is attached for paperless electronic filing:

Petition to Intervene by Michigan Environmental Council (MEC) and Affidavits of
Conan Smith, Patricia Peek and Bill Crane; and

Proof of Service

Sincerely,

Christopher M. Bzdok
Chris@envlaw.com

xc: Parties to Case No. U-20763

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the Application for the Authority to Replace and Relocate the Segment of Line 5 Crossing the Straits of Mackinac, if Approval is Required Pursuant to 1929 PA 16; MCL 483.1 et seq. and Rule 447 of the Michigan Public Service Commission's Rules of Practice and Procedure, R 792.10447, or the Grant of other Appropriate Relief

U-20763

**PETITION TO INTERVENE BY
MICHIGAN ENVIRONMENTAL COUNCIL**

1. The Michigan Environmental Council ("MEC"), a statewide organization, seeks to intervene in this case under Rule 410 of the Commission's Rules of Practice and Procedure, R 792.10410, to represent the interests of its members in protecting and preserving Michigan's natural resources and their own health and welfare from impairment.

2. MEC is a statewide environmental organization with individual supporters, 70 member entities, and a collective membership of over 200,000 people.

3. MEC's member entities include the Grand Traverse Band of Ottawa and Chippewa Indians, a sovereign Indian Tribe with usufructuary property rights to natural resources in the Straits of Mackinac, including fishing rights. The State of Michigan is obligated to honor these rights, and prohibited from diminishing them, under the March 28, 1836 Treaty of Washington (7 Stat. 491).

4. MEC's member entities also include the Tip of the Mitt Watershed Council, a watershed council whose service area includes the entire southern shore of the Straits of Mackinac, including but not limited to the project area described in the application in this case.

5. MEC's individual supporters include Patricia Peek and Bill Crane, whose affidavits are attached as Exhibits A and B to this petition. Ms. Peek owns property and resides in the vicinity of the project area on the north shore of the Straits. Judge Crane (ret.) owns property and seasonally resides in the vicinity of the project area on the south shore of the Straits.

6. MEC's individual supporters, its member entities, and the members and supporters of its member entities are directly affected by Enbridge Energy, Limited Partnership's ("Enbridge") Application for approval of its Line 5 replacement project. For this reason, MEC's individual supporters, its member entities, and the members and supporters of its member entities will be directly affected by the Commission's decision in this matter (see attached Affidavit of MEC Chief Executive Officer Conan Smith marked as Exhibit C). These individual supporters, member entities, and members and supporters of the member entities have a strong interest in protecting themselves and Michigan's natural resources from harm caused by Enbridge's proposed project.

7. Enbridge is seeking the Commission's approval under Public Act 16 of 1929, MCL 483.1 *et seq.* ("Act 16") and Rule 447 of the Commission's Rules of Practice and Procedure, R 792.10447, to replace the segment of its Line 5 pipeline that crosses the Straits of Mackinac with a single pipe located within a tunnel. Enbridge requests this approval in the form of a grant of authority from the Commission, or, in the alternative, "a ruling confirming that it already has the requisite authority from the Commission to construct the replacement segment of Line 5 that is the subject of this Application." (Application, p. 1.)

8. Before the Commission can approve Enbridge's Act 16 request, the Commission will consider whether "(1) the applicant has demonstrated a public need for the proposed pipeline,

(2) the proposed pipeline is designed and routed in a reasonable manner, and (3) the construction of the pipeline will meet or exceed current safety and engineering standards.” *In re Enbridge Energy Limited Partnership*, Case No. U-17020, January 31, 2013, Order, p. 5.

9. MEC’s individual supporters, member entities, and members and supporters of the member entities have the potential to be harmed if Line 5 continues to operate in the Straits of Mackinac, even if it is moved into a tunnel as Enbridge proposes. Specifically, MEC’s individual supporters, member entities, and members and supporters of the member entities face a daily risk of harm from a release of oil and/or natural gas liquid into the Straits from the existing aged underwater pipes. This risk will be prolonged for an indeterminate length of time if Enbridge waits until the tunnel is built and operational to decommission the aged underwater pipes. MEC’s individual supporters, member entities, and members and supporters of the member entities are further exposed to risks and impacts of the project as described in the affidavits, especially in light of the continued vagaries of the project as described in the Application in this case. Further, MEC’s individual supporters, member entities, and members and supporters of the member entities disagree with Enbridge’s claim that “locating the pipeline in the tunnel virtually eliminates the already very small risk of a release from Line 5 impacting the Straits.” (Application, p. 12.) MEC’s member groups include entities such as the Kalamazoo Environmental Council and Kalamazoo River Watershed Council, who have observed firsthand the devastating harm caused by Enbridge to the environment and natural resources of the State of Michigan. MEC’s members are also harmed by the continued operation of Line 5 because it delays the transition to cleaner and more cost-effective low-carbon sources of energy and impedes efforts to mitigate the effects of climate change. Were the Commission to extend the life of Line 5 by approving Enbridge’s proposed

replacement, MEC's individual supporters, member entities, and members and supporters of the member entities, and Michigan's environment and natural resources, would face the risks described in this paragraph for much longer than they would otherwise.

10. The Michigan Public Service Commission recognizes two types of intervention.

a. First, intervention by right, which requires that the party will suffer an injury-in-fact as a result of the outcome of the case, and that the party is within the zone of interest protected by the statute. See for example, *Association of Data Processing Service Organizations, Inc v Camp*, 397 US 150; 90 S Ct 827; 250 L Ed 184 (1970).

b. Second, permissive intervention, where the Commission has the discretion to permit a party to intervene in the case where that party can provide useful information to the Commission or a unique perspective on the issues in the case. *In re Application of The Detroit Edison Co for Authority to Increase its Rates*, Case Nos. U-15768 and U-15751, January 11, 2010, Order, p. 7 ("*In re Detroit Edison*").

11. MEC meets both tests.

12. As described above, MEC's individual supporters, member entities, and members and supporters of the member entities face the prolonged risk of environmental harm caused by the continued operation of Line 5 and by the project, as described above.

13. MEC's members are within the zone of interests protected by Act 16. These statutes authorize the Commission "to control, investigate, and regulate" oil pipeline operators within the state. MCL 483.3. As evidenced by Enbridge's submission of an Environmental Impact Report and alternatives analysis in its Application, the Commission may, and does, consider environmental impacts like the ones that would adversely impact MEC's members when

considering Act 16 approvals. Act 16 also requires a pipeline company to “make a good-faith effort to minimize the physical impact and economic damage that result from the construction and repair of a pipeline.” MCL 483.2b. Finally, as noted above, the Commission has interpreted Act 16 to require a demonstration of public need for the proposed project; that it is designed and routed in a reasonable manner; and that the construction of the project will meet or exceed current safety and engineering standards – all of which are in substantial question in this case. In sum, Act 16 provides an avenue for the Commission to address the need for, design and routing of, and potential environmental harms from petroleum transport projects; and therefore the statute protects the interests of MEC’s members.

14. MEC’s members are also within the zone of interests protected by the Michigan Environmental Protection Act (“MEPA”) (MCL 324.1701 *et seq.*). MEPA Section 1705(1) authorizes the agency or court to permit any person to intervene in an administrative proceeding “on the filing of a pleading asserting that the proceeding or action for judicial review involves conduct that has, or is likely to have, the effect of polluting, impairing, or destroying the air, water, or other natural resources or the public trust in these resources.” MCL 324.1705(1).

15. The Commission recently held in DTE Electric Company’s Section 6t Integrated Resource Plan case that MEPA applies to Commission proceedings:

The Commission finds that MEPA does apply to this proceeding, because the allegation of impairment has been made by intervenors. The Commission concludes that it is appropriate to determine under MEPA: (1) whether the IRP would impair the environment; (2) whether there was a feasible and prudent alternative to the impairment; and, (3) whether the impairment is consistent with the promotion of the public health, safety, and welfare in light of the

state's paramount concern for the protection of its natural resources from pollution, impairment or destruction.¹

The Commission also noted that it applied MEPA in DTE's Certificate of Necessity case. *Id.* at p. 43, n. 5. Because MEC alleges and intends to submit testimony demonstrating that Enbridge's Application will likely pollute, impair, or destroy natural resources and the public trust therein, the Commission should grant MEC leave to intervene by right to advocate for the consideration of environmental impacts and potential alternatives in this case.

16. MEC has organizational standing because its individual supporters, member entities, and members and supporters of the member entities meet the zone of interests test. Commission rules and precedent provide that an association may be granted intervention to represent the interests of its members. See *In re Detroit Edison* at 8 (citing MPSC Rules of Practice and Procedure, Mich Admin Code R 460.17101(f), (g)(vii), and R 460.17201); see also *Drake v Detroit Edison*, 453 F Supp 1123, 1129 (WD Mich 1978) (noting that "a plaintiff may be granted standing when he asserts interests not of his own but of a third party that meet the zone of interests test."). To establish standing to intervene in a Commission proceeding, an association can assert and represent the interests of its third-party members without specifically identifying each individual member whose interests are to be represented. *In re Detroit Edison* at 8.

17. MEC also meets the test for permissive intervention, because MEC will provide useful information to the Commission and a unique perspective on the issues.

¹ *In the matter of the application of DTE Electric Company for approval of its Integrated Resource Plan pursuant to MCL 460.6t and for other relief*, Case No. U-20471, February 20, 2020, Order, p. 43.

18. MEC will bring significant expertise to bear in these proceedings. Its staff and witnesses have extensive knowledge and experience Commission proceedings and the subject matter of this case. In addition, MEC has a long record of intervening and actively participating in cases before the Commission to advocate for these issues, both individually and in coalition with other environmental organizations.

19. MEC has intervened in more than 50 Commission cases in Michigan over the past two decades, including but not limited to the following:

- U-15805 Consumers Energy Renewable Energy and Energy Optimization Plans
- U-15806 Detroit Edison Renewable Energy and Energy Optimization Plans
- U-16045 Consumers Energy 2010 PSCR Plan
- U-16047 Detroit Edison 2010 PSCR Plan
- U-16045-R Consumers Energy 2010 PSCR Reconciliation
- U-16047-R DTE Electric Company 2010 PSCR Reconciliation
- U-16191 Consumers Energy General Rate Case
- U-16300 Consumers Energy Renewable Energy Reconciliation
- U-16356 Detroit Edison Renewable Energy Reconciliation
- U-16434-R Detroit Edison 2011 PSCR Reconciliation
- U-16543 Amendment to Consumers Energy Renewable Energy Plan from U-15805
- U-16656 Detroit Edison 2011 Renewable Energy Reconciliation
- U-16890 Consumers Energy 2012 PSCR Plan
- U-16890-R Consumers Energy 2013 PSCR Reconciliation
- U-16892 Detroit Edison 2012 PSCR Plan
- U-16982-R DTE Electric Company 2013 PSCR Reconciliation

- U-16991 Detroit Edison Depreciation Accrual Rates For Renewable Energy
- U-17026 Indiana Michigan Power Certificate Of Necessity
- U-17095 Consumers Energy 2013 PSCR Plan
- U-17097 Detroit Edison 2013 PSCR Plan
- U-17097-R DTE Electric Company 2013 PSCR Reconciliation
- U-17301 Consumers Energy 2013 Review & Approval Of Biennial Renewable Energy Plan
- U-17302 DTE Electric Company 2013 Review & Approval Of Biennial Renewable Energy Plan
- U-17317 Consumers Energy 2014 PSCR Reconciliation
- U-17319 DTE Electric Company 2014 PSCR Reconciliation
- U-17321 Consumers Energy 2013 Renewable Energy Reconciliation
- U-17322 DTE Electric Company 2013 Renewable Energy Reconciliation
- U-17429 Consumers Energy Certificate Of Necessity for Thetford Plant
- U-17632 DTE Electric Company 2014 Renewable Energy Reconciliation
- U-17678 Consumers Energy 2015 PSCR Plan
- U-17678-R Consumer Energy 2015 PSCR Reconciliation
- U-17680 DTE Electric Company 2015 PSCR Plan
- U-17680-R DTE Electric Company 2015 PSCR Reconciliation
- U-17688 Consumers Energy Cost Of Service
- U-17689 DTE Electric Company Cost Of Service
- U-17698 Indiana Michigan Power Cost Of Service
- U-17735 Consumers Energy 2015 General Rate Case
- U-17762 DTE Electric Company Energy Optimization Plan Biennial Review
- U-17767 DTE Electric Company 2015 General Rate Case

- U-17771 Consumers Energy Energy Optimization Plan Biennial Review
- U-17735 Consumers Energy electric rate case
- U-17793 DTE Electric Company Biennial Renewable Energy Plan
- U-17918 Consumers Energy 2016 PSCR Plan
- U-17920 DTE Electric Company 2016 PSCR Plan
- U-17990 Consumers Energy 2016 General Rate Case
- U-18014 DTE Electric Company 2016 General Rate Case
- U-18142 Consumers Energy Company 2017 PSCR Plan Case
- U-18143 DTE Electric Company 2017 PSCR Plan Case
- U-18152 DTE Gas Company 2017 GCR Plan Case
- U-18250 Consumers Energy Company Securitization Application
- U-18322 Consumers Energy Company 2018 General Rate Case
- U-18255 DTE Electric Company 2017 General Rate Case
- U-18351 Consumers Energy Company Section 61 Implementation
- U-18352 DTE Electric Company Section 61 Implementation
- U-18402 Consumers Energy 2018 PSCR Case
- U-18403 DTE Electric Company 2018 PSCR Case
- U-18419 DTE Electric Company Application for CON
- U-18412 DTE Gas Company 2018 GCR Plan Case
- U-20134 Consumers Energy Company General Rate Case
- U-20162 DTE Electric General Rate Case
- U-20165 Consumers Energy IRP Case
- U-20561 DTE Electric Rate Case
- U-20203 DTE Electric 2018 PSCR Reconciliation Case
- U-20221 DTE Electric 2019 PSCR Plan Case
- U-20527 DTE Electric 2020 PSCR Plan Case
- U-20697 Consumers Energy Company General Rate Case

20. MEC has also worked for years to advance policies through the legislative process that would benefit the public and the environment in these areas.

21. MEC plans to evaluate Enbridge's application, testimony, and exhibits, and to conduct discovery, and then to raise those issues and take those positions that best serve the interests described above. Among other things, MEC plans to contest as unfounded and unwarranted Enbridge's request for declaratory judgment that the project does not require Commission approval. MEC also plans to challenge the public need for the proposed project. MEC also plans to scrutinize and potentially challenge whether the project is designed and routed in a reasonable manner; and whether the construction of the project will meet or exceed current safety and engineering standards. MEC also plans to raise appropriate issues under MEPA, as described above. MEC reserves the right to advance other issues as the case develops.

22. This petition to intervene is timely.

23. No other party adequately represents the interests of MEC and its members.

24. MEC requests that all notices and pleadings be served on:

Christopher M. Bzdok
chris@envlaw.com

Lydia Barbash-Riley
lydia@envlaw.com

Olson, Bzdok & Howard, P.C.
420 E. Front St.
Traverse City, MI 49686

and on:

Karla Gerds, Legal Assistant
karla@envlaw.com

Kimberly Flynn, Legal Assistant
kimberly@envlaw.com

Breanna Thomas, Legal Assistant
breanna@envlaw.com

For the reasons just outlined, MEC respectfully requests that the Commission grant this petition to intervene and treat it as a party to this proceeding.

OLSON, BZDOK & HOWARD, P.C.
Counsel for MEC

Date: April 21, 2020

By: _____

Christopher M. Bzdok (P53094)
Lydia Barbash-Riley (P81075)
420 E. Front St.
Traverse City, MI 49686
Phone: 231-946-0044

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

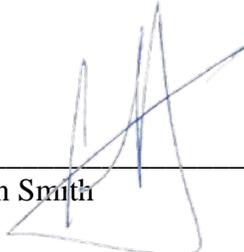
In the matter of the Application for the Authority to Replace and Relocate the Segment of Line 5 Crossing the Straits of Mackinac, if Approval is Required Pursuant to 1929 PA 16; MCL 483.1 et seq. and Rule 447 of the Michigan Public Service Commission's Rules of Practice and Procedure, R 792.10447, or the Grant of other Appropriate Relief

U-20763

AFFIDAVIT OF CONAN SMITH

1. I am the Chief Executive Officer of the Michigan Environmental Council.
2. I have personal knowledge of the allegations in the Michigan Environmental Council's Petition to Intervene in this case.
3. The factual allegations in the petition concerning MEC, its member entities, and its individual supporters are true to the best of my knowledge, information and belief.
4. If called as a witness, I could competently testify to the facts in the Petition to Intervene.

Date: April 21, 2020

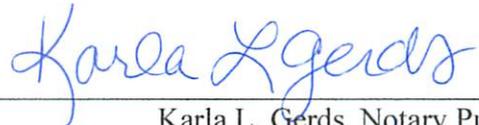


Conan Smith

STATE OF MICHIGAN
COUNTY OF WASHTENAW

Subscribed to and sworn before me via remote notarization on this 21st day of April,
2020, by Conan Smith.

KARLA L. GERDS
Notary Public, State of Michigan
County of Grand Traverse
My Commission Expires Nov. 13, 2024
Acting in the County of Washtenaw



Karla L. Gerds, Notary Public
Grand Traverse County, Michigan
Acting in Washtenaw County
My commission expires: November 13, 2024
Notarized using electronic remote technology.

AFFIDAVIT OF PATRICIA PEEK

Patricia Peek, being sworn, states:

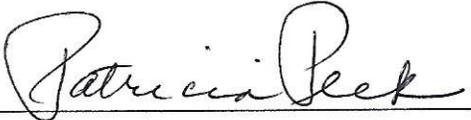
1. I am a supporter of the Michigan Environmental Council.
2. Since 2007 I have lived at W970 Boulevard Drive in St. Ignace, on Lake Michigan, at the home built by my husband and me. My home is the first one west of the Enbridge twin pipelines laying in the Straits of Mackinac.
3. While I understand the precise location of the tunnel replacement for Line 5 may not have been determined yet, my general understanding is that the tunnel is likely to be west of the pipelines, putting it very close to my home.
4. Boulevard Drive, which runs right along the water, is renowned for its wildlife viewing. It is a favorite spot for many locals and visitors to cruise and birdwatch.
5. My Lake Michigan property is my serenity spot. I kayak often in the summer unless the waves are too high. I meander along the shoreline almost every day to relax. The wildlife and wetlands are amazing. Almost every walk involves sightings of eagles, hawks, herons, ducks, loons or swans. The clear blue water and stunning sunsets are also a source of serenity.
6. I am an avid gardener and have 13 raised bed gardens for growing my vegetables. I enjoy gardening as a peaceful pastime, but it also is a significant food source for my husband and me in the summer months.
7. I know the importance of clean water. I am a retired pediatric nurse practitioner and an emeritus faculty member from the College of Nursing at Michigan State University. I have volunteered for about 50 medical missions in the far corners of the

world: Ukraine, South Africa, Jamaica to name a few. The common thread in all these depressed areas was lack of access to clean water.

8. My concerns about the tunnel include:
- a. Increased heavy traffic and disruption from the construction of the tunnel.
 - b. Negative impacts on the value of my property from being located close to the tunnel.
 - c. Endangerment of my water well from tunnel construction and operation. The local subsurface is made of limestone and wells are difficult to locate here.
 - d. The length of time for the tunnel project to replace the existing underwater pipelines, during which my home remains vulnerable to all of the continued spill risks associated with Line 5.
 - e. The impact of tunneling on the stability of the subsurface, as well as potential explosion and other safety risks.
 - f. Continued risks associated with the inland segment of pipeline near my home, which will continue to operate indefinitely if the tunnel is constructed.

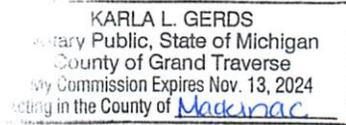
9. This affidavit is made on my own personal knowledge. If called as a witness, I could competently testify to the facts herein.

Dated: April 9, 2020.


Patricia Peek

STATE OF MICHIGAN)
)ss
COUNTY OF MACKINAC)

Acknowledged before me on this 9th day of April 2020, by Patricia Peek.



Karla L Gerds

Karla L. Gerds, Notary Public
Grand Traverse County, Michigan
Acting in Mackinac County

My commission expires: November 13, 2024

This document was signed remotely pursuant to Executive Order No. 2020-41, dated April 8, 2020.

AFFIDAVIT OF BILL CRANE

Bill Crane, being duly sworn, states as follows:

1. My name is Bill Crane. My wife and I are supporters of the Michigan Environmental Council.

2. Since 1917, my family has owned lakefront property in Mackinaw City on the Straits of Mackinac just west of Fort Mackinac. My grandfather bought the cottage 10 doors west of the Mackinac Bridge in 1917. Because so many family members wanted to come to the Straits, my father bought the former Juniper Lodge five doors west of the Mackinac Bridge in 1962. I bought the cottage four doors west of the Bridge in 1974 for my family, which I sold when I inherited the Juniper Lodge. I since bought the cottage three doors from the Bridge in 2015 for our increasing family members. All, like past generations, treasure their time on Wawatam Beach.

3. I currently own 312 Straits Avenue and we own 306 Straits Avenue, the third and fifth houses west of the Bridge. My properties are in close proximity to, and down-current of, the Enbridge Line 5 pipelines and the proposed tunnel location.

4. I was born in 1940 and am competent to testify in this matter. I give this statement based on my personal knowledge.

5. I was born in Saginaw and recall taking the train as a child to stay at our family's lakefront home on the Straits. Every summer was spent on the Wawatam Beach. As a freshman in college I taught lifesaving near the Arnold docks in Mackinaw City. I even swam from St. Ignace to Mackinaw City when I was 19. It took me several hours because of the strong and changing currents.

6. I graduated from University of Michigan law school in 1965. I entered practice of law with the family law firm Crane, Kessel, and Crane in downtown Saginaw. The firm represented Shepler's (ferry boat service to Mackinac Island) from the mid-1950's. The firm also represented other

Marinas and clients in the area till 1989.

7. I served as Deputy General Counsel at the US Department of Energy from June, 1989 to June 1991. I was appointed to the 10th Circuit Court in Saginaw in 1991 and served as Circuit Judge until 2011.

8. I joined the Great Lakes Lighthouse Keepers Association about 1998 and have been a member ever since. I have been involved with the restoration of St. Helena Lighthouse and the Cheboygan Range Lighthouse. During college years, I often stayed in the deserted Round Island Lighthouse. Having climbed the Alps and traveled the world, the Straits of Mackinac is still the best.

9. It would be devastating for there to be an oil spill in front of my cottage. A spill like this would be an irreparable disaster to the lives and fortunes of everyone in the Straits area.

10. I also have concerns about the proposed tunnel. Among these are the continued persistence of pipelines in the water while the tunnel process slogs on for an unknown length of time. Based on what I have learned from scientists and otherwise, a rupture will happen and the only questions is when.

11. I am also concerned that the State of Michigan ensures that the proposed tunnel complies with the law, including but not limited to the Great Lakes Submerged Lands Act.

12. I am also concerned about the potential dangers from construction activities from the tunnel construction to the nearby properties on both sides of the straits.

Further affiant sayeth not.

Dated: April 15, 2020.


Bill Crane

STATE OF MICHIGAN)
)ss
COUNTY OF SAGINAW)

Acknowledged before me via remote notarization on this 16th day of April 2020, by Bill Crane.

KARLA L. GERDS
Notary Public, State of Michigan
County of Grand Traverse
My Commission Expires Nov. 13, 2024
Acting in the County of Saginaw

Karla L Gerds

Karla L. Gerds, Notary Public
Grand Traverse County, Michigan
Acting in Saginaw County
My commission expires: November 13, 2024.
Notarized using electronic remote technology.

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the Application for the Authority to Replace and Relocate the Segment of Line 5 Crossing the Straits of Mackinac into a Tunnel Beneath the Straits of Mackinac, if Approval is Required Pursuant to 1929 PA 16; MCL 483.1 et seq. and Rule 447 of the Michigan Public Service Commission's Rules of Practice and Procedure, R 792.10447, or the Grant of other Appropriate Relief

U-20763

PROOF OF SERVICE

On the date below, an electronic copy of **Petition to Intervene by Michigan Environmental Council (MEC) and Affidavits of Conan Smith, Patricia Peek and Bill Crane** were served on the following:

Name/Party	E-mail Address
Counsel for Enbridge Energy, Limited Partnership. Michael S. Ashton Shaina Reed	mashton@fraserlawfirm.com sreed@fraserlawfirm.com
Counsel for MPSC Staff Spencer A. Sattler Benjamin J. Holwerda Nicholas Q. Taylor	sattlers@michigan.gov holwerdab@michigan.gov taylor10@michigan.gov
Counsel for Environment Law & Policy Center Margrethe Kearney	mkearney@elpc.org
Counsel for Grand Traverse Ottawa and Chippewa Indians William Rastetter Christopher M. Bzdok Lydia Barbash-Riley	bill@envlaw.com chris@envlaw.com lydia@envlaw.com

[signature page follows]

The statements above are true to the best of my knowledge, information and belief.

OLSON, BZDOK & HOWARD, P.C.
Counsel for MEC

Date: April 21, 2020

By: _____
Karla Gerds, Legal Assistant
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