

**BEFORE THE
NEW YORK STATE
PUBLIC SERVICE COMMISSION**

))))
Verified Joint Petition of Norse Energy)))
Corp. USA and Emkey Resources,)))
LLC for Approval to Transfer)	Case No. 12-G-
Two Article VII Certificates.)))

**VERIFIED JOINT PETITION OF
NORSE ENERGY CORP. USA AND EMKEY RESOURCES, LLC
FOR APPROVAL TO TRANSFER TWO ARTICLE VII CERTIFICATES**

Norse Energy Corp. USA (“Norse”) and Emkey Resources, LLC (“Emkey” and collectively with Norse, the “Petitioners”) respectfully submit this Verified Joint Petition for Approval to Transfer Two Article VII Certificates pursuant to New York Public Service Law (PSL) § 121(2).

**INTRODUCTION AND
SUMMARY OF POSITION**

In this proceeding, Norse seeks permission from the Commission to transfer to Emkey, and Emkey seeks permission from the Commission to acquire, two certificates of Environmental Compatibility and Public Need previously issued by the Commission to Norse (the “Certificates”). Emkey agrees to comply with the terms, limitations, and conditions in the Certificates, and their transfer to Emkey is in the public interest and should be approved for the reasons noted below.

BACKGROUND

1. The Parties

Norse. Norse, formerly known as Nornew, Inc., is a wholly-owned subsidiary of Norse Energy Holdings, Inc. Norse Energy Holdings, Inc. is a wholly-owned subsidiary of Norse Energy Corp. ASA. Norse Energy Corp. ASA is publicly traded on the Oslo Stock Exchange.¹

Norse is engaged in the exploration for and production of natural gas in New York State. All of the facilities that Norse owns in New York State are used exclusively for the production, gathering and delivery of indigenous New York gas. Accordingly, Norse's facilities in New York State are exempt from regulation by the Commission pursuant to PSL § 66-g, except with respect to safety and siting.

Emkey. Emkey is a 100% owned subsidiary of EmKey Energy, LLC, the parent company of the former Norse Pipeline LLC ("Norse Pipeline"), Nornew Energy Supply, Inc. ("NES"), and Mid American Natural Resources, LLC.² Emkey is a limited liability company established under the laws of Delaware and is presently applying for authority to do business in New York. Emkey is operated by Mr. Øivind Risberg, who was formerly the CEO of Norse Energy Corp. ASA. Mr. Risberg is also one of the owners of Emkey.

¹By letter filed on August 11, 2009 in Case 09-T-0499, Nornew, Inc. advised the Commission of its name change to Norse Energy Corp. USA.

²By letter filed on June 22, 2011 in Cases 00-T-1159, 97-T-0806, 99-T-0977, and 11-G-0004, Norse Pipeline LLC, Nornew Energy Supply, Inc., and Appalachian Transmission and Marketing LLC advised the Commission of the following name changes: Norse Pipeline LLC to Emkey Gathering, LLC, Nornew Energy Supply, Inc. to Emkey Transportation Inc., and Appalachian Transmission and Marketing LLC to Emkey Energy, LLC.

By order dated May 24, 2011, the Commission authorized Norse to sell ownership and control of Norse Pipeline and NES to Appalachian/Emkey Energy, LLC.³ Since the date of that order, Emkey Energy, LLC has successfully overseen the operations of the pipeline facilities owned by Norse Pipeline and NES, and ensured that these entities have fulfilled all of their obligations under their Article VII certificates.⁴

2. The Certificates.

The Certificates, authorize Norse to construct and operate a 2.3 mile six inch steel pipeline (the “Six Inch Line”)⁵ and an approximately 8-mile sixteen inch steel pipeline (the “Sixteen Inch Line”).⁶ Norse has completed construction of the Six Inch Line, which extends from the Bradley Brook Compressor Station to Norse’s metering facility in the Town of Eaton, New York. The Six Inch Line will be used to redirect natural gas production from some or all of Norse’s existing natural gas wells, including

³ Case 11-G-0004 - *Appalachian Transmission and Marketing LLC and Norse Energy Holdings, Inc. - Joint Petition for Approval of Transfer of Ownership and Control of Norse Pipeline LLC and Nornew Energy Supply, Inc.*, Order Approving Transfer (Issued and Effective May 24, 2011).

⁴ Case 99-T-0977, *Nornew Energy Supply, Inc., Order Granting Certificate of Environmental Compatibility and Public Need* (issued January 13, 2000) and Case 00-T-1159, *Norse Pipeline LLC, Order Granting Certificate of Environmental Compatibility and Public Need and Acknowledging Filing of Certified Statement* (issued September 28, 2000).

⁵ Case 10-T-0269, *Notice of Intention Filed by Norse Energy Corp. USA to Construct a Fuel Gas Transmission Line, Containing Approximately 12,370 Feet of Six-Inch Coated Steel Pipeline, Located in the Town of Eaton, Madison County*, Order Granting Certificate of Environmental Compatibility and Public Need (Issued and Effective July 9, 2010).

⁶ Case 09-T-0499, *Application of Nornew, Inc. for a Certificate of Environmental Compatibility and Public Need for the Construction of a Natural Gas Gathering Pipeline of Approximately 42,240 Feet of 16 Inch Coated, High Pressure Steel Pipe, Located in the Towns of Eaton and Lebanon, Madison County*, Order Granting Certificate of Environmental Compatibility and Public Need (Issued and Effective March 29, 2010). On August 11, 2009 in this Case, Nornew, Inc. advised the Commission of its name change to Norse Energy Corp. USA.

natural gas wells to be drilled to the new natural gas metering facility located near the Village of Morrisville, Town of Eaton, Madison County, New York.

Norse has not yet commenced construction of the Sixteen Inch Line. When completed, the Sixteen Inch Line will deliver natural gas from Norse's natural gas production fields to its Bradley Brook Compressor Station to Norse Energy's metering facility in the Town of Eaton, New York.

ANALYSIS

I. THE COMMISSION SHOULD APPROVE THE TRANSFER OF THE CERTIFICATES TO EMKEY

Norse respectfully requests that the Commission approve the transfer of the two Certificates to Emkey, and Emkey respectfully requests approval from the Commission to acquire the two Certificates. Emkey agrees to honor the terms, limitations, and conditions of the two Certificates in accordance with PSL § 121(2). Emkey has demonstrated its ability to do so by virtue of its successful operation of the pipeline facilities in accordance with the Commission's requirements and the Article VII certificates Emkey acquired from Norse Pipeline and NES. Accordingly, the Commission should find that the transfer of the Certificates to Emkey will meet the requirements of PSL § 121(2) and will not have a negative impact on the safety or siting of the facilities, or the parties' compliance with the two Certificates.

Because the Six Inch Line transports only indigenous natural gas and is exempt from Commission jurisdiction except with respect to safety and siting, and because Norse has not yet commenced construction of the Sixteen Inch Line, no other

Commission approvals are required for the transfer of the two Certificates or for the transfer of the Six Inch Line pursuant to PSL § 66-g(3). To this end, the transfer of the two Certificates is in the public interest.

CONCLUSION

WHEREFORE, for the above-stated reasons, Norse Energy Corp., USA and Emkey Resources, LLC respectfully request that the Commission approve the transfer to Emkey of the Certificates issued to Norse in Cases 09-T-0499 and 10-T-0269.

Respectfully submitted,

George M. Pond, Esq.
Christopher J. Hanifin, Esq.
Hiscock & Barclay, LLP
80 State Street
Albany, New York 12207

Dated: March 20, 2012

**BEFORE THE
NEW YORK STATE
PUBLIC SERVICE COMMISSION**

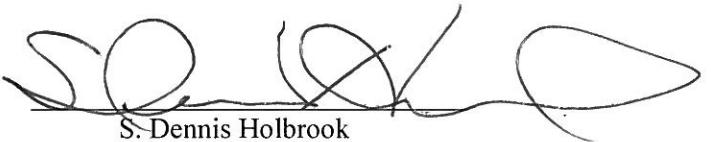
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VERIFICATION FOR NORSE ENERGY CORP. USA

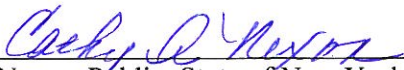
COUNTY OF ERIE)
) ss:
STATE OF NEW YORK)

S. Dennis Holbrook, being duly sworn, deposes and states that:

1. I am Executive Vice President and Chief Legal Officer of Norse Energy Corp. USA, one of the Petitioners named in this proceeding.
2. I have read the foregoing Petition, know the contents thereof, and the facts stated therein with respect to Norse Energy Corp. USA and they are true to the best of my knowledge, information, and belief.


S. Dennis Holbrook

Sworn to and subscribed before me this 20th
day of March, 2012.



Notary Public, State of New York

CATHY A. NIXON Notary Public, State of New York Registration #01NI6244462 Qualified In Erie County Commission Expires July 11, 2015

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_____)	

VERIFICATION FOR EMKEY RESOURCES, LLC

COUNTY OF HARRIS)	
STATE OF TEXAS)	ss:
_____)	

Hege Kirkedam, being duly sworn, deposes and states that:

1. I am the Chief Financial Officer of Emkey Resources, LLC, one of the Petitioners named in this proceeding. I have read the foregoing Petition, know the contents thereof, and the facts stated therein with respect to Norse Energy Corp. USA and they are true to the best of my knowledge, information, and belief.
2. Emkey's principal activity is the provision of safe, adequate and reliable utility service. Accordingly, Emkey is qualified to comply with the terms, limitations, and conditions contained in the two Certificates in this Petition and operate and maintain the pipelines associated with the Certificates in a safe and reliable manner.
3. Pursuant to the provision of Section 121 of the New York Public Service Law, in the event that the Commission approves the transfer of the Certificates from Norse to Emkey to the extent required to allow Emkey to operate and maintain and install and operate the pipelines and facilities associated with the Certificates, Emkey agrees to assume the responsibilities associated with the Certificate and to comply with the terms, limitations, and conditions contained therein.

Hege Kirkedam
Hege Kirkedam

Sworn to and subscribed before me this 20th Day of March, 2012.

Jeanean Sirkel
Notary Public, State of Texas

