

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

IN THE MATTER OF THE APPLICATION OF DAKOTA ACCESS, LLC FOR AN ENERGY FACILITY PERMIT TO CONSTRUCT THE DAKOTA ACCESS PIPELINE))))))	ORDER GRANTING JOINT MOTION REGARDING STIPULATED FINDINGS OF FACT, CONDITIONS, AND EXHIBITS
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HP14-002

On December 15, 2014, the South Dakota Public Utilities Commission (Commission) received an energy facility permit application (Application) from Dakota Access, LLC (Dakota Access) pursuant to SDCL 49-41B-4 to construct the South Dakota portion of the proposed Dakota Access Pipeline (Pipeline). The Pipeline will begin in North Dakota and terminate in Patoka, Illinois, traversing 13 counties in South Dakota. The proposed 12- to 30-inch diameter pipeline will have an initial capacity of 450,000 barrels of oil per day with a total potential of up to 570,000 barrels per day. The proposed route will enter South Dakota in Campbell County at the North Dakota/South Dakota border and will extend in a southeasterly direction, exiting the state at the South Dakota/Iowa border in Lincoln County. The length of the Pipeline through South Dakota is approximately 272.3 miles. The Pipeline also would include one pump station in South Dakota located in Spink County. Pursuant to SDCL 49-41B-24, the Commission has one year from the date of application to render a decision on the Application. Several parties have been granted intervention in this docket.

On January 8, 2015, Commissioner Fiegen filed a letter delivered to Governor Dennis Daugaard advising of a conflict of interest under SDCL 49-1-9 after learning of family ownership of land on the proposed Pipeline route. On January 14, 2015, Governor Daugaard filed a letter with Secretary of State Shantel Krebs appointing State Treasurer Rich Sattgast to serve as Acting Commissioner in place of Commissioner Fiegen pursuant to SDCL 49-1-9.

On August 20, 2015, the Commission issued an Order for and Notice of Evidentiary Hearing. The hearing was held as scheduled beginning on September 29, 2015.

On October 8, 2015, the City of Sioux Falls and Dakota Access filed a Joint Motion Regarding Stipulated Findings of Fact, Conditions, and Exhibits. The City of Sioux Falls and Dakota Access requested that the Commission include its Stipulated Findings of Fact and Conditions in the Commission's final decision in this docket if the permit is granted, and include its Exhibits A and B in the record. The Joint Motion stated that if the motion is granted, the City of Sioux Falls will not object to the siting of the Dakota Access Pipeline.

At its November 30, 2015, ad hoc meeting, the Commission considered the Joint Motion. Following the Commission's vote to grant the permit with conditions, the Commission voted to grant the Joint Motion. It is therefore

ORDERED, that the Joint Motion Regarding Stipulated Findings of Fact, Conditions, and Exhibits is granted.

Dated at Pierre, South Dakota, this 14th day of December, 2015.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, electronically or by mail.

By: Rolayne West

Date: 12-14-15

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Chris Nelson

CHRIS NELSON, Chairman

Gary Hanson

GARY HANSON, Commissioner

Richard L. Sattgast

RICHARD L. SATTGAST, Acting Commissioner