

December 1, 2014

Delivered via eMail and by mail to four non-eMail intervenors

South Dakota Public Utilities Commission
Capitol Building, First Floor
500 E. Capitol Ave.
Pierre, SD 57501-5070

RE: Docket HP14-001 – Keystone’s motion to define the scope of discovery under SDCL 49-41B-27

Dear Commissioners and parties:

We are writing to object to Keystone’s motion to limit discovery as filed on 10/30/14.

In this motion, Keystone would like to prohibit the discussion of the soils of the Sandhills. The soils of the Sandhills and the Sandhills are discussed in sections 36, 37, 38, 46, 51, 53, 80, 81, and 87 of the South Dakota Final Decision and Order, HP09-001. Because the Sandhills and soils were previously relevant, they should be given the same consideration in this phase of the project.

Keystone’s motion also excludes the Ogallala Aquifer and other streams, rivers, and water bodies. In the South Dakota Final Decision and Order HP09-001, these topics are covered in sections 20, 22, 34, 35, 41, 46, 48, 53, 73, 81, 82, 83, and 86. This shows this topic as being previously relevant and consequently relevant during this phase of discovery.

Additionally, we oppose Keystone limiting the discovery of the 115 Findings of Fact, and ask that the Commissioners allow all of these topics during the discovery process.

Thank you for your consideration.

Sincerely,

Amy Schaffer
Bruce & RoxAnn Boettcher
Louis T. Genung
Bonnie Kilmurry
Carolyn Smith
Art Tanderup
Wrexie Bardaglio

001239