

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

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HP 14-001

IN THE MATTER OF THE PETITION OF
TRANSCANADA KEYSTONE PIPELINE, LP
FOR ORDER ACCEPTING CERTIFICATION
OF PERMIT ISSUED IN DOCKET HP09-001 TO
CONSTRUCT THE KEYSTONE XL PROJECT

: APPLICANT’S RESPONSE TO
: ROSEBUD SIOUX TRIBE’S MOTION
: IN LIMINE AND NOTICE OF
: WITHDRAWAL OF TESTIMONY

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The Rosebud Sioux Tribe filed a Motion in Limine to Exclude Testimony dated July 9, 2015, in which it states that it will not offer direct testimony at the evidentiary hearing from Richard Kuprewicz or the Goodman Group. In response, Applicant TransCanada Keystone Pipeline, LP (“Keystone”) gives notice that: (1) it is withdrawing the Rebuttal Testimony of Jeff Mackenzie, except for paragraph 11, which is hereby adopted by Heidi Tillquist; (2) it is withdrawing the Rebuttal Testimony of Meera Kothari, except for paragraph 12, which replies to the direct testimony of Dr. Arden Davis; and (3) it is withdrawing paragraphs 4 through 20 of the Rebuttal Testimony of Heidi Tillquist, but not the remainder of Tillquist’s Rebuttal Testimony, which replies to the direct testimony of Dr. Arden Davis.

Based on these withdrawals, Keystone respectfully requests that the Tribe’s motion in limine be denied as moot.

Dated this 17th day of July, 2015.

WOODS, FULLER, SHULTZ & SMITH P.C.

By /s/ James E. Moore

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CERTIFICATE OF SERVICE

I hereby certify that on the 17th day of July, 2015, I sent by United States first-class mail, postage prepaid, or e-mail transmission, a true and correct copy of Applicant's Response to Rosebud Sioux Tribe's Motion in Limine and Notice of Withdrawal of Testimony, to the following:

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