

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

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 PIPELINE

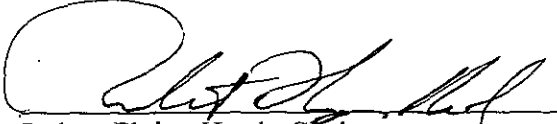
**CERTIFICATION**

**HP14-001**

**State of South Dakota**        )  
  ) ss.  
**County of Charles Mix**        )

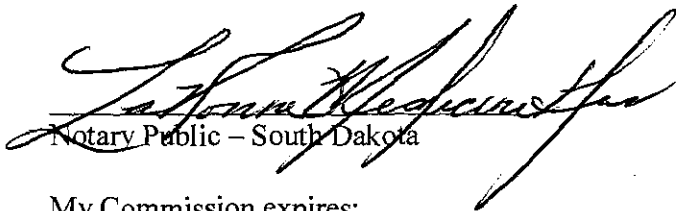
On behalf of the Yankton Sioux Tribe, Chairman Robert Flying Hawk hereby certifies that the conditions upon which the South Dakota Public Utilities Commission granted the facility permit in Docket HP09-001 for the Keystone XL hydrocarbon pipeline (the "Project") under the Energy Conversion and Transmission Facilities Act are not and will not continue to be satisfied. TransCanada Keystone Pipeline, LP ("Keystone") is not in compliance with the conditions attached to the June 29, 2010 Amended Final Decision and Order in this docket, to the extent that those conditions have applicability in the current pre-construction phase of the Project. I further certify that it will not meet and comply with all of the applicable permit conditions during construction, operation, and maintenance of the Project.

Dated this 27 day of Oct, 2015.

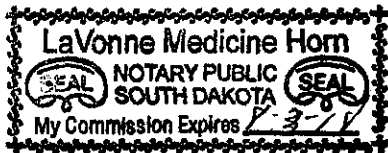
  
Robert Flying Hawk, Chairman  
Yankton Sioux Tribe

Subscribed and sworn to before me

this 27 day of October, 2105.

  
Notary Public – South Dakota

My Commission expires:



## CERTIFICATE OF SERVICE

I certify that on this 30<sup>th</sup> day of October, 2015, a true and correct copy of the foregoing “**Certification**” was filed on the Public Utilities Commission of the State of South Dakota e-filing website. And also on this day, a true and accurate copy was sent via email to the following (or US Mail first-class postage prepaid where no email is given):

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*/s/ J. Wagner*

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