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	ORDER DENYING JOINT MOTION TO STRIKE PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW HP14-001

On September 15, 2014, TransCanada Keystone Pipeline, LP (TransCanada or Keystone) filed with the South Dakota Public Utilities Commission (Commission) a Petition for Order Accepting Certification under SDCL §49-41B-27 seeking an order accepting certification of the energy facility permit issued in Docket HP09-001 for construction of the Keystone XL Pipeline. On June 29, 2010, the Commission issued an Amended Final Decision and Order; Notice of Entry granting a permit to TransCanada for construction of the Keystone XL Pipeline. TransCanada now seeks an order accepting certification pursuant to SDCL 49-41B-27. The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-26 and 49-41B, specifically 49-41B-27, and ARSD Chapter 20:10:22.

On September 18, 2014, the Commission electronically transmitted notice of the filing and the intervention deadline of October 15, 2014, to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv. On November 4, 2014, the Commission issued an Order Granting Intervention and Party Status to forty-two of the applicants. An evidentiary hearing was held July 27-August 1, and August 3- 5, 2015.

On October 1, 2015, Keystone submitted its post-hearing brief and attached Proposed Findings of Fact and Conclusions of Law. On November 4, 2015, several intervening parties submitted a Joint Motion to Strike Proposed Findings of Fact and Conclusions of Law (Joint Motion).

On November 12, 2015, at its regular Commission meeting, the Commission considered the Joint Motion. Finding that nothing in the statutes or rules precludes a party from filing proposed findings of fact and conclusions of law, the Commission voted unanimously to deny the Joint Motion. It is therefore

ORDERED, that the Joint Motion to Strike Proposed Findings of Fact and Conclusions of Law is denied.

Dated at Pierre, South Dakota, this 18th day of November, 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: Kolayne West

Date: 11-18-15

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Chi Nelson

CHRIS NELSON, Chairman

Kristie Fiegen

KRISTIE FIEGEN, Commissioner

Gary Hanson

GARY HANSON, Commissioner