

**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 FOR AND NOTICE OF MOTION HEARING ON LESS THAN 10 DAYS' NOTICE HP14-001
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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 Chapters and 20:10:01 and 20:10:22.

An evidentiary hearing was held beginning on Monday, July 27, 2015 in Room 414 of the State Capitol Building. The hearing was extended to include Saturday, August 1, 2015 by order dated July 30, 2015, and then continued from August 3 to August 5, 2015. The evidentiary hearing was conducted by Commission General Counsel John J. Smith, who acted as Hearing Examiner. Commissioners Chris Nelson and Gary Hanson attended the hearing in person. Due to medical treatment, Commissioner Kristie Fiegen elected under SDCL § 1-26-24 to participate by reviewing the hearing transcript.

On December 18, 2015, Dakota Rural Action (DRA) filed a Motion to Supplement Administrative Record. In its Motion, DRA asks the Commission to take administrative notice of a Notice of Probable Violation filed by the Pipeline and Hazardous Material Safety Administration on November 20, 2015, and supplement the administrative record with the same.

Pursuant to ARSD 20:10:01:22.02, the Commission may order a hearing on less than ten days' notice if the Commission determines good cause exists therefor. The Commission finds that, in the interests of judicial economy, good cause exists to hear the Motion on less than ten days' notice. It is therefore

ORDERED, that a hearing on the Motion To Supplement Administrative Record will be held by the Commission at its regularly scheduled meeting on December 22, 2015, beginning at 9:30 A.M. CDT in Rm. 413, Capitol Building, Pierre, SD.

Dated at Pierre, South Dakota, this 18th 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: <u>[Signature]</u>
Date: <u>12/18/15</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

[Signature: Chris Nelson]
CHRIS NELSON, Chairman

[Signature: Kristie Fiegen]
KRISTIE FIEGEN, Commissioner

[Signature: Gary Hanson]
GARY HANSON, Commissioner