

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

IN THE MATTER OF THE PETITION OF)	ORDER GRANTING MOTION
TRANSCANADA KEYSTONE PIPELINE, LP)	TO RECONSIDER AND
FOR ORDER ACCEPTING CERTIFICATION)	AMENDING IN PART
OF PERMIT ISSUED IN DOCKET HP09-001)	PROCEDURAL SCHEDULE
TO CONSTRUCT THE KEYSTONE XL)	
PIPELINE)	HP14-001

On September 15, 2014, TransCanada Keystone Pipeline, LP (TransCanada) 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.

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. Applications for Party Status were received from forty-three persons, and on November 4, 2014, the Commission issued an Order Granting Intervention and Party Status to forty-two of the applicants. Two parties have since been granted withdrawal of party status. On December 17, 2014, the Commission issued an Order Granting Motion to Define Issues and Setting Procedural Schedule (Order).

On March 25, 2015, the Commission received a Motion to Amend Order Setting Procedural Schedule from Rosebud Sioux Tribe (Rosebud). In its Motion, Rosebud requested that the Commission amend the procedural schedule to delay the date set for pre-filed testimony. On April 3, 2015, the Commission issued an Order Granting in Part Motion to Amend Procedural Schedule (Amended Order) which changed the date for Rosebud to file its pre-filed direct testimony from April 2, 2015, set forth in the Order to April 10, 2015.

On April 8, 2015, Rosebud filed a Motion for Reconsideration (Motion) requesting the Commission to reconsider its Amended Order and grant more time for Rosebud to file pre-filed testimony. Rosebud also requested an emergency hearing. The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-41B, ARSD Chapter 20:10:22, and ARSD 20:10:01:29. On April 8, 2015, the Commission issued an Order for and Notice of Motion Hearing on Less Than 10 Days' Notice setting the Motion for hearing on April 9, 2015.

The Motion came before the Commission at its ad hoc meeting on April 9, 2015. Keystone stated that it did not object to the motion to the extent it pertained to expert testimony. The Commission voted unanimously to grant the motion to reconsider.

It is therefore

ORDERED, that Rosebud Sioux Tribe's Motion for reconsideration is granted with respect to expert testimony. It is further

ORDERED, that Rosebud's pre-filed testimony for its expert witnesses is due no later than April 24, 2015, except to the extent it qualifies for filing on April 27, 2015, pursuant to the Amended Order. It is further

ORDERED, that Keystone may have until May 5, 2015, to file its rebuttal testimony with respect to the pre-filed testimony of Rosebud's expert witnesses.

Dated at Pierre, South Dakota, this 10th day of April, 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><i>[Signature]</i></u>
Date: <u>4/10/15</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Chris Nelson

CHRIS NELSON, Chairman

Kristie Fiegen

KRISTIE FIEGEN, Commissioner

Gary Hanson

GARY HANSON, Commissioner