

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

IN THE MATTER OF TRANSCANADA KEYSTONE PIPELINE, LP FOR ORDER ACCEPTING CERTIFICATION OF PERMIT ISSUED IN DOCKET HP- 09-001 TO CONSTRUCT THE KEYSTONE XL PIPELINE	Surrebuttal to Darren Kearney’s rebuttal to Cindy Myers’ testimony regarding Dr. Madden’s socio- economic analysis HP14-001
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I am responding to Darren Kearney’s rebuttal to my direct testimony. My testimony stated:

"testimonial analysis by Dr. Madden is woefully inadequate to meet SDCL 49-416-22, which requires the project must protect the health, safety and welfare of SD residents. He is not a medical doctor, but an economist."

Mr. Kearney states I misunderstood the purpose of Dr. Madden’s testimony.

I understand that Dr. Madden is an economist and his testimony reflects a very brief socio-economic analysis of the project.

However, as written, the HP09-001 document, specifically Finding of Fact #107, implies that Dr. Madden’s analysis from a socioeconomic standpoint was also meant to support the subpart of SDCL 49-41 B-22 which states:

“The facility will not substantially impair the health, safety or welfare of the inhabitants.”

Finding of Fact #107 is included in Appendix C, South Dakota Final Decision and Order Tracking Table of Changes which was ordered by the PUC as part of the scope of discovery.

Finding of Fact #107 is listed under the heading “Socio-Economic Factors”.

HP09-001, Finding of Fact #107, as directly copied from that document:

Socio-Economic Factors

107. Socio-economic evidence offered by both Keystone and Staff demonstrates that the welfare of the citizens of South Dakota will not be impaired by the Project. Staff expert Dr. Michael Madden conducted a socio-economic analysis of the Keystone Pipeline, and concluded that the positive economic benefits of the project were unambiguous, while most if not all of the social impacts were positive or neutral. S-2, Madden Assessment at 21. The Project, subject to compliance with the Special Permit and the Conditions herein, would not, from a socioeconomic standpoint: (i) pose a threat of serious injury to the socioeconomic conditions in the project area; (ii) substantially impair the health, safety, or welfare of the inhabitants in the project area; or (iii) unduly interfere with the orderly development of the region.

I agree with Mr. Kearney that Dr. Madden's testimony does not include information concerning how the project would impact the health, safety, or welfare of the inhabitants, but finding of fact #107, as written, concludes that Dr. Madden's testimony supports SDCL 49-41 B-22, including the subpart "The facility will not pose a threat of serious injury to the environment nor to the social and economic condition of inhabitants or expected inhabitants in the siting area" and also the subpart "the facility will not substantially impair the health, safety or welfare of the inhabitants"

Respectfully submitted this 29th day of April, 2015

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