

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

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HP 14-001

IN THE MATTER OF THE PETITION OF TRANSCANADA KEYSTONE PIPELINE, LP FOR ORDER ACCEPTING CERTIFICATION OF PERMIT ISSUED IN DOCKET HP 09-001 TO CONSTRUCT THE KEYSTONE XL PROJECT,	: : : : : : : :	KEYSTONE’S MOTION IN LIMINE TO PRECLUDE TESTIMONY OF DR. HANSEN AND DR. OGLESBY
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Applicant TransCanada Keystone Pipeline, LP (“Keystone”) moves in limine that the Commission preclude the testimony of Dr. James Hansen and Dr. Robert Oglesby, whose prefiled rebuttal testimony has been filed by Intertribal COUP.

Keystone previously moved to exclude the testimony of Dr. Hansen and Dr. Oglesby because it was not prefiled and was not proper rebuttal testimony. Keystone argued in support of its motion that Dr. Hansen and Dr. Oglesby both proposed to address climate change, which was not an issue raised in Keystone’s direct testimony, and not an issue within the scope of this certification docket. The Commission entered an order dated May 28, 2015, granting Keystone’s motion.

Intertribal COUP states in its motion that it will file a separate motion for reconsideration of the Commission’s order, but no such motion has been filed, and no basis exists for the Commission to reconsider its previous order.

Keystone respectfully requests that, consistent with the order dated May 28, 2015, the Commission enter a further order precluding the testimony of Dr. Hansen and Dr. Oglesby.

Dated this 10th day of July, 2015.

WOODS, FULLER, SHULTZ & SMITH P.C.

By /s/ James E. Moore

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CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of July, 2015, I sent by United States first-class mail, postage prepaid, or e-mail transmission, a true and correct copy of Keystone's Motion in Limine to Preclude Testimony of Dr. Hansen and Dr. Oglesby, to the following:

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