

Public Utilities Commission  
500 East Capitol Avenue  
Pierre S.D. 57501-5070

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AUG 07 2015

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

Benny Abbott



Dear Members of the P.U.C.,

Thank you for the kind and informative answers and information I have received from you on my P.U.C. Pipeline comments, however I seem to have some continuing issues.

I was aware that Keystone would ~~be~~ probably be considered a U.S. type of company because of these foiled-up federal laws that if they have, say, one U.S. citizen or stockholder then, they would have all the rights of a regular native born U.S. corporation. My point was, that, that is inappropriate for the U.S. government to do to we U.S. citizens and it was stated to point out, that the P.U.C. should not indelge this ~~type~~ with an endorsement, and allow them in the state. The prodeat put through that pipeline is from a completely foreign source and it is a foreign company due to that. Foreign hijinks to follow the letter of any law and not honor the intent, does not impress me.

Saying that the P.U.C. is not responsible for the purchase of land, is another real report, again based on the letter of the law and P.U.C. policy, not on the result of your actions. Saying that the P.U.C. is not ~~any~~ responsible for land purchases or land purchase problems is like saying a person who lights a fuse on a ~~bomb~~ bomb is not responsible for the result of any collateral damage from the explosion, only with the responsibility for lighting the fuse. Damage from the bomb was done strictly on the <sup>own</sup> the bomb's responsibility, right?

I claimed that the state's bill of rights, our constitution, stated that corporations are to have no more rights ~~than~~ individuals under the same ~~circumstances~~ <sup>than</sup> circumstances and you reply that the courts are allowed to grant common carrier status up that negates the constitution of the state. Since when does any administrative rule and regulation, law or court procedure, have precedent <sup>over</sup> the constitution of our state? You know as well as I do, that the constitution of this state is the final word on what is legal to do in South Dakota, and whoever decided it is "arbitrary" to allow anyone ~~who~~ who claims to be a common carrier the right government domain, ~~is~~ has committed a mistake of law. Any common carrier who was allowed this status and the privilege to declare eminent domain, including Keystone, has been given it in violation of our state's constitution.

Our constitution allows only eminent domain to be given to cities, counties and the state itself to acquire land for public roads and schools only. Any other use by any other authority is illegal and ~~unconstitutional~~ unconstitutional.

Although the P.M.C. is not a district court and the P.M.C. is not writing any new laws or regulations, the P.M.C. stands in a position to enable mistakes of law made by the courts and the lawlessness to be allowed. In reality, Keyston is a loaded truck holding an overburdensome load that will cut every road in this state to shreds if it is allowed to drive ~~through~~ through this state, and you people are the only ones who have the key to the ignition. You must not give the driver those keys. If you do, you will be responsible for what happens to the land owners, and the land.

You also have stated that this pipeline and its acceptance, is based partly on its benefits to the public. This product has no usage for Sweet Petroleum. We have no refineries here to process this product. Not one ounce will be used ~~for~~ here for any purpose, yet, we are asked to sacrifice our land so most of it can be ~~to~~ transported to other ~~and~~ countries while only some of it will be refined down ~~and~~ used for use? When the value of a product going through a pipeline is judged by its value, the value is to be for the people of this state not the citizens of other states that is what the law intended.

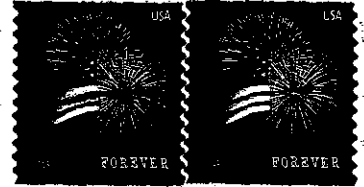
(3)

All that have seen going on here, is the P.U.C. and its legal staff, ~~defending~~ <sup>defending</sup> the pipeline instead of defending the people of both Dakota. All I see here is the greed of the State Department of Revenue, wrenching their hands in anticipation of collecting, and only ~~temporarily~~ temporarily, a bunch of sales, use and contractor excise taxes on the line, with no regard of any future financial rewards, for the land owners. Is this your version of benefit to the people of South Dakota? It's not mine, especially considering what the legislature has been doing with our money recently.

There was an old joke around when we a kid about the outlaw who committed crimes with many witnesses, a man who was very obviously guilty of his crimes, and after capture and incarceration, plead innocent, to which the sheriff replied, "Don't worry Rocky, you'll get a fair trial, and then hang." This is exactly what I'm sure is going to happen here. All of us detractors on this pipeline will get a fair hearing and then what is correct will be hung by the neck until dead and the P.U.C. will be the hangman. All I can say is that we act first. Don't give Keystone the benefit.

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