

From: PUC

Sent: Thursday, November 9, 2017 3:50 PM

To: gb@breitlawpc.com

Cc: carlos.vidal@energytransfer.com; 'kcs@MAGT.com' <kcs@MAGT.com>; cslackg@gmail.com; Edwards, Kristen <Kristen.Edwards@state.sd.us>

Subject: HP14-002

Mr. Boomsma:

This is in response to your messages to the commissioners regarding the complaint, CIV. 17-460, you filed in circuit court on behalf of Greg Slack and the Slack Family Properties. The commissioners shared these messages with me to post in the commission's open docket for the Dakota Access Pipeline, HP14-002, since the reclamation process is not yet fully completed. Therefore, your messages and this response will be posted in the open, public docket. The commissioners also asked that staff follow up with you.

You relay in your message that Mr. Slack welcomes assistance the PUC can offer in terms of resolving the matter with Dakota Access. PUC staff members have been involved in several discussions aimed at resolving issues on the construction reclamation with communication between the landowners, DAPL Liaison Eric Munz and DAPL Compliance Monitor Ryan Coleman. In fact, the latest communication was sent from Staff Attorney Kristen Edwards to you, confirming staff's understanding that the necessary repairs for reclamation were completed satisfactorily.

As to the PUC providing assistance in resolving the matter with Dakota Access, we are not certain what assistance you are seeking or what would be appropriate at this time. The Slacks did not file a formal complaint with the commission following the informal assistance provided by the PUC staff as referenced above. Therefore, we do not know what the PUC could provide relative to the circuit court case you filed on behalf of the Slacks and DAPL since that process is separate from and outside the commission's jurisdiction.

Thank you for making the commission aware of your court case. If you have further questions, please direct them to a member of the PUC staff to avoid ex parte concerns. Those working on the PUC's docket are Staff Attorney Kristen Edwards, Staff Attorney Amanda Reiss, Staff Analyst Darren Kearney and Consumer Affairs Manager Deb Gregg.

Sincerely,

Patricia Van Gerpen, Executive Director
South Dakota Public Utilities Commission
www.puc.sd.gov