



Dustin Johnson, Chair  
Gary Hanson, Vice Chair  
Steve Kolbeck, Commissioner

## SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

500 East Capitol Avenue  
Pierre, South Dakota 57501-5070  
[www.puc.sd.gov](http://www.puc.sd.gov)

Capitol Office  
(605) 773-3201  
1-866-757-6031 fax

Warehouse  
(605) 773-5280  
(605) 773-3225 fax

Consumer Hotline  
1-800-332-1782

November 6, 2007

Lillian Anderson  
12189 – 415<sup>th</sup> Ave  
Langford, SD 57454

Re: HP07-001 TransCanada Keystone Pipeline

Dear Ms. Anderson:

We are quickly approaching the hearing date for the Keystone pipeline docket, and Commission Staff and others are in the process of preparation. As you know, Staff sent Interrogatories and Requests for Production of Documents to you and all other Interveners on September 19, 2007. The responses were due, according to SDCL 15-6-33(a), within "thirty days after the service." Staff's Interrogatories requested very basic information that would take only a very short time to prepare, as is clearly evidenced by the responses of interveners who responded timely and in good faith. You called several times prior to October 19 with concerns regarding Staff's Interrogatories, and I explained how the Interrogatories differ from Direct Testimony. Although you indicated an intention to provide answers to your Interrogatories by October 31, you have yet to do so.

Even more concerning to Staff than your failure to respond to basic legal discovery obligations in a timely fashion, is the advice other interveners relayed you gave them. Several interveners - who also failed to provide discovery information - informed me they acted according to your advice. Advising intervenors to ignore the law is not only improper but also potentially subjects you and others who followed your advice to discovery sanctions, such as having evidence they might otherwise present, barred from admission (see SDCL 15-6-37(b)(2)(B)).

The PUC process is designed to facilitate an orderly evaluation of the Applicant's filing. Interference with the same impedes Commission Staff, other interveners and the Commission throughout this process. Staff requests that you respect and follow the legal

process as this docket proceeds. In the event you refuse, Staff may find it necessary to formally file with the Commission.

Please call or e-mail me with any questions. I am willing and available to answer any procedural questions you may have.

Sincerely,

A handwritten signature in black ink that reads "Kara Semmler". The signature is written in a cursive, flowing style.

Kara Semmler

cc: Patricia Van Gerpen, Executive Director