

-----Original Message-----

From: Johnson, Dustin (PUC)
Sent: Wednesday, November 21, 2007 8:31 AM
To: 'Clarence Mardian'
Subject: RE: Trans Canada

Clarence,

Thanks for taking the time to email me. I understand your concern with the TransCanada Keystone project and appreciate your comments. Given the way the statute that governs our siting process is written, I can take some of the things you've written into consideration . . . others, I can't.

I hope that you'll take some time to listen to the testimony on-line when our hearing begins on Dec 3. There is a lot of speculation about what the true facts are for this project, and I am looking forward to seeing and hearing the actual evidence. It should be interesting.

Thanks,
Dusty

Dustin "Dusty" Johnson
Public Utilities Commissioner
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-----Original Message-----

From: Clarence Mardian
Sent: Wednesday, November 21, 2007 7:14 AM
To: Johnson, Dustin (PUC)
Subject: Trans Canada

Mr. Johnson:

This matter regarding Trans Canada is a case which should not even be open for debate. They should be flat denied and the PUC move on to other things.

I have to believe that the members of the PUC are informed enough to know that the track records of companies like Trans Canada are not good. They are notorious for making a mess and polluting the environment without regard for loss of life, property or natural resources. The Valdez thing in Alaska happened more than 20 years ago and Exxon still has not stepped up to the plate during a period where the Exxon/Mobil is profiting billions and the CEO is making 7 figure bonuses. The most recent incident is San Francisco. How many incidents from leaking tankers and pipe lines will it take for our elected officials, the ones to whom we trust our very lives and life styles, to finally have the guts to stand up for what's right and deny the big boys the opportunity to mess up or world? They say it won't leak. BS to that noise. The Valdez wouldn't leak either. How about the tanker in San Francisco? I'm betting that wasn't supposed to leak either. Do we really want to trust Trans Canada? I don't and I wouldn't. South Dakota is one of the few places in the USA that still has clean air and relatively clean water. You approve this Trans Canada deal and you do a dis-service to the people of this region and endanger the clean water we have which is already in jeopardy.

The argument about jobs is baloney. Yah! They will have hundreds of construction jobs but when that's done there will be a handful to maintain it. Certainly not enough to risk our natural resources for.

If by chance the unthinkable disaster happens with the PUC approval of this, it should be done WITH STIPULATIONS.

1. Post an immediate up front \$100,000,000 cash bond to be held in escrow.
2. They maintain a full time 24/365 crew that can respond to a leak in a way that any section of the pipeline can be reached within 30 minutes.

3. They agree to bare all costs for IMMEDIATE CLEAN UP but the posted bond could NOT be used for that.
4. The posted bond can only be used in the event of a disaster which they refuse to be responsible for.
5. The posted bond is not the limit of their liability. They are responsible for ALL costs at all times not just during and after the const. but also for infinity in case problems are detected after any abandonment.
6. If they ever sell the thing, the new owners must be held to accept similar and all responsibilities and post at least a similar bond.

To do anything less than this and the PUC is selling out the people of South Dakota.

Although on a much smaller scale, I personally had a very bad experience with a company from Canada. They stuck it to me but because of international laws, I couldn't collect several thousand dollars. I lost it all. This could be worse on a much larger scale. Hyperion should also be denied the permit. Someone has to have the guts to make the right call on these two projects. I'm hoping it's the SD PUC.

Mr. Johnson, I urge you to fight against this. This is not for South Dakota. Let them find another way.

Clarence S. Mardian

Clarence S. Mardian
Leisure Awnings