



**HARDING COUNTY BOARD OF COMMISSIONERS**

Po Box 26  
Buffalo, SD 57720  
605-375-3313

Dean Wagner, Chairman  
Robert W. Johnson, Vice Chairman  
Rayford Anderson  
Matt DeBow  
Charles Verhulst

**RECEIVED**

**JAN 06 2011**

**SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION**

December 28, 2010

Public Utilities Commission  
Capitol Building, First Floor  
500 E. Capitol Avenue  
Pierre, SD 57501-5070

Dear Sirs:

We, the members of the Harding County Board of Commissioners, are sending this letter to advise you that Harding County has been contacted by TransCanada Pipeline concerning the approaches and road improvements on various roads in the County for the placement of the Keystone XL pipeline.

The Board of Commissioners has decided that it will, at a later date, designate which approaches, road improvements, and road construction projects, constructed by TransCanada, it wishes to keep as permanent improvements. At the time the County designates the permanent improvement, it will attach a diagram and/or survey designating the road improvement and will forward the same to your department. It is understood that the designation of such improvements as permanent is at the discretion of the County Commissioners and said decision will be made after review of all improvements plans and construction.

It is further understood that once TransCanada has ceased construction operations in Harding County, the County will accept all liability and maintenance responsibility for any improvements it designates as permanent. It is understood and agreed that TransCanada will not be responsible for the improvements once they have ceased construction phase of operations in Harding County.

Sincerely,

Dean Wagner, Chairman  
Harding County Board of Commissioners