

# BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE APPLICATION BY ) APPLICATION FOR PARTY  
 TRANSCANADA KEYSTONE PIPELINE, LP ) STATUS  
 FOR A PERMIT UNDER THE SOUTH DAKOTA )  
 ENERGY CONVERSION AND TRANSMISSION ) HP09-001  
 FACILITIES ACT TO CONSTRUCT THE )  
 KEYSTONE XL PROJECT )

Pursuant to SDCL 49-41B-17 and ARSD 20:10:22:40, David Niemi  
 (Name of Applicant)

petitions the Public Utilities Commission to be granted party status in the above-referenced facility permit proceeding.

David Niemi  
 Signature of Applicant

David Niemi  
 Print Name

Address: 1220 S. Cave Hills Road  
Buffalo, South Dakota  
57720

641-3355

Phone Number  
Niemiranch@sdplains.com  
 E-Mail Address

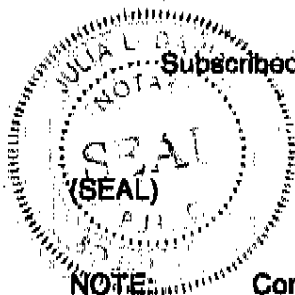
Name of Organization if applicable

May 11, 2009  
 Date

Subscribed and sworn to before me this 11<sup>th</sup> day of May, 2009.

Julia L. Davis  
 Notary Public

My Commission expires: 2-23-2010



**NOTE:**

Consistent with SDCL 49-41B-17 and ARSD 20:10:22:40, this application must be filed with the Public Utilities Commission within 60 days from the date the application was filed. The facility application was filed March 12, 2009. Therefore, this Application for Party Status form must be filed in the Commission's offices on or before May 11, 2009, unless the deadline is extended by the Commission.

Executive Director  
 South Dakota Public Utilities Commission  
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 Pierre, SD 57501-5070  
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