

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

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IN THE MATTER OF THE APPLICATION : HP 09-001
BY TRANSCANADA KEYSTONE
PIPELINE, LP FOR A PERMIT UNDER THE :
SOUTH DAKOTA ENERGY CONVERSION :
AND TRANSMISSION FACILITIES ACT TO :
CONSTRUCT THE KEYSTONE XL :
PROJECT :

**APPLICANT’S MOTION TO
APPROVE INDEMNITY BOND**

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Under SDCL § 49-41B-38 and Condition 23(f) of the Amended Final Decision and Order dated June 29, 2010, Applicant TransCanada Keystone Pipeline, LP (“Keystone”) moves that the Commission approve the attached indemnity bond covering damage beyond normal wear and tear to roads and bridges. As required by statute and Condition 23(f), the bond is in the amount of \$15.6 million, is issued by Liberty Mutual Insurance Company as surety, and is issued in favor of and for the benefit of all townships, counties, and other governmental entities whose property is crossed by the Keystone XL Pipeline. Also attached is a power of attorney related to the bond.

Even though construction is not scheduled to begin until 2019, Keystone seeks approval of the bond now because it may transport pipe in 2018 on roads that are the subject of Condition 23. That activity does not constitute “construction” within the meaning of the Amended Final Decision and Order, but the bond should be approved before construction starts to cover any road damage as contemplated by Condition 23.

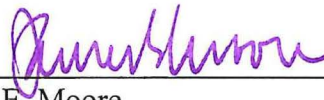
As required by Condition 23(f), Keystone will file the original bond upon approval.

Keystone respectfully requests that the Commission enter an order approving the bond and providing that the second bond required by Condition 23 does not need to be filed until 2020, the second year of construction.

Dated this 15th day of June, 2018.

WOODS, FULLER, SHULTZ & SMITH P.C.

By



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CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of June, 2018 I served a true and correct copy of the foregoing Applicant's Motion to Approve Indemnity Bond by e-mail transmission to the following:

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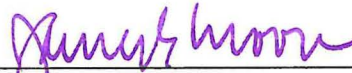
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