

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

From: Mohr, Leah On Behalf Of Johnson, Dustin (PUC)
To: "Member"
Sent: Monday, February 22, 2010 4:43 PM
Subject: RE: Please Wait on the Vote on Keystone XL

Thanks for taking the time to email your personal thoughts on the Keystone XL project to me and my colleagues Commissioners Kolbeck and Hanson. State law (SDCL 49-41B-24) requires the Commission render a decision within one year of application filing, which for this docket would be March 12. We have spent more than eleven months studying this project and taking evidence. Delaying a decision until late March, as you've requested, is not allowed under state law.

You ask for us to conduct a "fair and thorough examination" of this project, and I can assure you we have for all areas under the Commission jurisdiction. Since 2007 the Commission has reviewed thousands and thousands of pages of information and heard testimony from more than two dozen witnesses on the siting of interstate hydrocarbon pipelines. On the Keystone XL pipeline specifically, five Commission staffers, three Commissioners, and a number of outside expert consultants have spent months reviewing the project. Our environmental review has been conducted independently from any EIS and is not dependent upon the completion of an EIS. Our process reviewed hydrology, wildlife, plants and vegetation, erosion, soil types, noise, and many other areas of concern.

On Feb. 18, 2010, the Commission voted to approve the permit for the Keystone XL pipeline, with conditions. You can review a list of these draft conditions on our Web site at <http://puc.sd.gov/commission/dockets/hydrocarbonpipeline/2009/hp09-001/draftconditions.pdf> and read more about the decision at <http://puc.sd.gov/News/2010/021810.aspx>.

Many thanks,

Dusty

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From: Sierra Club Membership Services On Behalf Of "Member"
Sent: Sunday, February 21, 2010 3:46 PM
To: Johnson, Dustin (PUC)
Subject: Please Wait on the Vote on Keystone XL

Feb 21, 2010

Commissioner Dustin Johnson

Dear Commissioner Johnson,

I am writing to urge you to hold off on making a decision about the Keystone XL pipeline permit. Between 2002 and 2005 more than 50 pipeline "incidents" were serious enough to warrant public evacuations. Pipeline experts indicate that each year there are over 150 incidents related to pipelines, and more than 6 million gallons of dangerous liquids spill and leak annually from pipelines.

Yet TransCanada has offered no emergency response plan, and we have yet to see an Environmental Impact Statement. Since the PUC held a hearing last fall, information about the marketplace has surfaced indicating that this pipeline is not needed. Without substantive analysis, including current and forecasted oil industry models, it could be that you will be acting prematurely in permitting this pipeline. Please postpone your decision on Keystone XL until an Environmental Impact Statement has been issued and TransCanada has offered a thoughtful emergency response plan. I also encourage you to conduct a fair and thorough examination on whether this pipeline is even necessary.

Sincerely,

"Member"