

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

<b>IN THE MATTER OF THE PETITION OF )</b>	<b>ORDER GRANTING MOTION</b>
<b>TRANSCANADA KEYSTONE PIPELINE, LP )</b>	<b>FOR JUDICIAL NOTICE</b>
<b>FOR ORDER ACCEPTING CERTIFICATION )</b>	
<b>OF PERMIT ISSUED IN DOCKET HP09-001 )</b>	<b>HP14-001</b>
<b>TO CONSTRUCT THE KEYSTONE XL )</b>	
<b>PIPELINE )</b>	

On September 15, 2014, TransCanada Keystone Pipeline, LP (TransCanada or Keystone) filed with the South Dakota Public Utilities Commission (Commission) a Petition for Order Accepting Certification under SDCL §49-41B-27 seeking an order accepting certification of the energy facility permit issued in Docket HP09-001 for construction of the Keystone XL Pipeline. On June 29, 2010, the Commission issued an Amended Final Decision and Order; Notice of Entry granting a permit to TransCanada for construction of the Keystone XL Pipeline. TransCanada now seeks an order accepting certification pursuant to SDCL 49-41B-27. The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-26 and 49-41B, specifically 49-41B-27, and ARSD Chapters 20:10:01 and 20:10:22.

On September 18, 2014, the Commission electronically transmitted notice of the filing and the intervention deadline of October 15, 2014, to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv. Applications for Party Status were received from forty-three persons, and on November 4, 2014, the Commission issued an Order Granting Intervention and Party Status to forty-two of the applicants. Three parties have since been granted withdrawal of party status. On December 17, 2014, the Commission issued an Order Granting Motion to Define Issues and Setting Procedural Schedule. On May 5, 2015, the Commission issued an Order Amending Procedural Schedule.

On July 9, 2015, Commission Staff filed a Motion for Judicial Notice (Motion), requesting that the Commission take judicial notice of the evidentiary record in Docket HP09-001, the Final Environmental Impact Statement, the Final Supplemental Environmental Impact Statement, and SDCL Chapter 49-41B in its entirety.

At its regularly scheduled meeting on July 21, 2015, the Commission considered the Motion. The Commission has the authority to take judicial notice pursuant to SDCL 19-19-201. The Commission finds that it is appropriate to take judicial notice as requested in the Motion.

It is therefore

ORDERED, that the Commission takes judicial notice of the evidentiary record in HP09-001. It is further

ORDERED, that the Commission takes judicial notice of the Final Environmental Impact Statement. It is further

ORDERED, that the Commission takes judicial notice of the Final Supplemental Environmental Impact Statement. It is further

ORDERED, that the Commission takes judicial notice of SDCL Chapter 49-41B.

Dated at Pierre, South Dakota, this 22nd day of July, 2015.

**CERTIFICATE OF SERVICE**

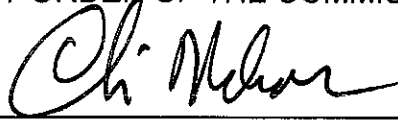
The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, electronically or by mail.

By: 

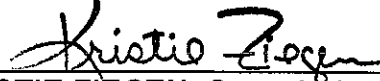
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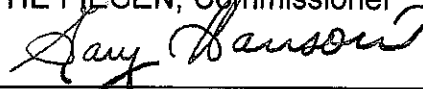
BY ORDER OF THE COMMISSION:



CHRIS NELSON, Chairman



KRISTIE FIEGEN, Commissioner



GARY HANSON, Commissioner