

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

IN THE MATTER OF THE APPLICATION OF)	ORDER FOR AND NOTICE OF
DAKOTA ACCESS, LLC FOR AN ENERGY)	MOTION HEARING ON LESS
FACILITY PERMIT TO CONSTRUCT THE)	THAN 10 DAYS' NOTICE FOR
DAKOTA ACCESS PIPELINE)	
)	HP14-002

On December 15, 2014, the South Dakota Public Utilities Commission (Commission) received an energy facility permit application (Application) from Dakota Access, LLC (Dakota Access) pursuant to SDCL 49-41B-4 to construct the South Dakota portion of the proposed Dakota Access Pipeline (Pipeline). The Pipeline will begin in North Dakota and terminate in Patoka, Illinois, traversing 13 counties in South Dakota. The proposed 12- to 30-inch diameter pipeline will have an initial capacity of 450,000 barrels of oil per day with a total potential of up to 570,000 barrels per day. The proposed route will enter South Dakota in Campbell County at the North Dakota/South Dakota border and will extend in a southeasterly direction, exiting the state at the South Dakota/Iowa border in Lincoln County. The length of the Pipeline through South Dakota is approximately 272.3 miles. The Pipeline also would include one pump station in South Dakota located in Spink County. Pursuant to SDCL 49-41B-24, the Commission has one year from the date of application to render a decision on the Application. Several parties have been granted intervention in this docket.

On January 8, 2015, Commissioner Fiegen filed a letter delivered to Governor Dennis Daugaard advising of a conflict of interest under SDCL 49-1-9 after learning of family ownership of land on the proposed Pipeline route. On January 14, 2015, Governor Daugaard filed a letter to Secretary of State Shantel Krebs appointing State Treasurer Rich Sattgast to serve as Acting Commissioner in place of Commissioner Fiegen pursuant to SDCL 49-1-9.

On May 7, 2015, Yankton Sioux Tribe filed a Motion to Compel (Motion). The Motion seeks to compel Dakota Access to provide complete answers to Interrogatories 3, 10, 11, 19, 20, 25, 26, and 40 and documents fully responsive to Requests for Production Nos. 4 and 7. The Motion further seeks to clarify an alleged discrepancy between the answers to Interrogatories 18 and 40. Lastly, the Motion requests that the Commission award Yankton Sioux Tribe reasonable attorneys' fees and expenses associated with bringing the Motion.

Pursuant to ARSD 20:10:01:22.02, the Commission may order a hearing on less than ten days notice if the Commission determines that good cause exists therefor. The Commission finds that because the issues need to be resolved prior to the deadline for the next round of discovery, good cause exists to hear the Motion on less than ten days' notice.

It is therefore

ORDERED, that a hearing on Yankton Sioux Tribe's Motion to Compel will be held by the Commission in connection with its regular meeting on May 12, 2015, beginning at 9:30 A.M. CDT in Rm. 413, Capitol Building, Pierre, SD.

Dated at Pierre, South Dakota, this 7th day of May, 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: Rolayne West

Date: 5-7-15

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Chris Nelson

CHRIS NELSON, Chairman

Gary Hanson

GARY HANSON, Commissioner

Richard L. Sattgast

RICH SATTGAST, Acting Commissioner