

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

IN THE MATTER OF THE APPLICATION OF DAKOTA ACCESS, LLC FOR AN ENERGY FACILITY PERMIT TO CONSTRUCT THE DAKOTA ACCESS PIPELINE)))))))	ORDER GRANTING MOTION TO RECONSIDER AND ORDER FOR AND NOTICE OF HEARING ON LESS THAN TEN DAYS NOTICE
		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 8, 2015, the Commission received Yankton Sioux Tribe's, Rosebud Sioux Tribe's, Indigenous Environmental Network's, and Dakota Rural Action's Joint Motion to Amend Procedural Schedule. On May 11, the Commission received Peggy Hoogestraat, Matthew Anderson, Kristi Anderson, Nancy Stofferahn, Tom Stofferahn, Ron Stofferahn, Kevin Schoffelman, Mavis Parry, Shirley Oltmanns, Janice Petterson, Carlis Wiebers, Linda Goulet, Marilyn Murray, Lori Kunzelman, Joy Hohn, Rodney Hohn, Orrin Geide, Doug Bacon, Margaret Hilt, Devona Smith, Al Arends, Sherrie Fines-Tracy, Delores Assid, and Ruth E. Arends' Joinder of Yankton Sioux Tribe's, Rosebud Sioux Tribe's, Indigenous Environmental Network's and Dakota Rural Action's Joint Motion to Amend Procedural Schedule.

On May 11, 2015, the Commission issued an Order for and Notice of Hearing (Order) on the above motion. The Order established that the Joint Motion to Amend Procedural Schedule would be heard on May 26, 2015, with responses due May 21, 2015.

On May 12, 2015, the Commission received Yankton Sioux Tribe's, Rosebud Sioux Tribe's, Indigenous Environmental Network's, and Dakota Rural Action's Joint Motion for Reconsideration of Order Dated May 11, 2015 (Motion to Reconsider).

At an ad hoc meeting on May 14, 2015, the Commission considered the Motion to Reconsider. The Commission voted unanimously to grant the Motion to Reconsider and to set the Motion for hearing on Tuesday, May 19, 2015, at 1:30 P.M CDT.

It is therefore

ORDERED, that the Motion to Reconsider is granted. It is further

ORDERED, that the hearing on Yankton Sioux Tribe's, Rosebud Sioux Tribe's, Indigenous Environmental Network's, and Dakota Rural Action's Joint Motion to Amend Procedural Schedule, originally noticed for hearing on May 26, 2015, will be held on May 19, 2015, at 1:30 p.m. CDT in Rm. 412, Capitol Building, Pierre, SD

Dated at Pierre, South Dakota, this 14th 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 Wiest

Date: 5-14-15

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Chris Nelson

CHRIS NELSON, Chairman

Gary Hanson

GARY HANSON, Commissioner

Richard L. Sattgast

RICHARD L. SATTGAST, Acting Commissioner