

**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 ) PROJECT )	NOTICE OF APPLICATION; ORDER FOR AND NOTICE OF PUBLIC INPUT HEARINGS; NOTICE OF OPPORTUNITY TO APPLY FOR PARTY STATUS
	HP14-002

On December 15, 2014, Dakota Access, LLC, a Delaware limited liability company and subsidiary of Energy Transfer Partners, L.P., a Delaware master limited liability company, filed with the South Dakota Public Utilities Commission (Commission) an Application for Facility Permit (Application) to construct and operate the Dakota Access Pipeline Project, a proposed 1,134 mile 12-inch to 30-inch diameter pipeline that will connect the Bakken and Three Forks crude oil production areas in North Dakota to existing pipeline infrastructure in Illinois (Project). The Project would originate in the northwest portion of North Dakota, traverse southeast through North Dakota, South Dakota, and Iowa and terminate at an existing pipeline hub near Patoka, Illinois. The Project proposes to transport approximately 450,000 barrels of crude oil per day (bpd) with a capacity up to 570,000 bpd. Approximately 271.6 miles of the 1,134-mile-long pipeline would be constructed within South Dakota, crossing 13 counties in the eastern half of the state. The Project would enter South Dakota in Campbell County, approximately 17 miles east of the Missouri River and continue southeast through McPherson, Edmunds, Faulk, Spink, Beadle, Kingsbury, Miner, Lake, McCook, Minnehaha, Turner, and Lincoln Counties. The Project would cross the Big Sioux River approximately 14 miles south of Sioux Falls and continue southeast through Iowa into Illinois. One pump station is proposed to be located within South Dakota, approximately seven miles southeast of Redfield in Spink County. The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-26 and 49-41B and ARSD Chapter 20:10:22.

Pursuant to SDCL 49-41B-15 and 49-41B-16, **the Commission will hold public input hearings on the Application on Wednesday, January 21, 2015, and Thursday, January 22, 2015 at the following times and places:**

- (1) on Wednesday, January 21, 2015, from noon (12:00 p.m. CST) until 3:00 p.m. in the Bowdle School Gymnasium, 3083 2nd Ave., Bowdle, South Dakota;**
- (2) on Wednesday, January 21, 2015, from 6:00 p.m. CST until 9:00 p.m. in the Redfield, School Auditorium, 502 E. 2<sup>nd</sup> St., Redfield, South Dakota;**
- (3) on Thursday, January 22, 2015, from 10:30 a.m. CST until 1:30 p.m. in the Iroquois School Gymnasium, 111 E. Washita Ave., Iroquois, South Dakota; and**
- (4) on Thursday, January 22, 2015, from 5:30 p.m. CST until 8:30 p.m. in the Roosevelt Room at the Ramkota Hotel & Conference Center, 3200 W. Maple Street, Sioux Falls, South Dakota (I-29 W Russell Street Exit (Exit No. 81) then merge onto W Maple Street bearing left to stay on W Maple Street).**

The purpose of these public input hearings will be to hear public comments regarding the permit Application and the Project. At the hearings, Applicant will present a brief description of the

Project, following which interested persons may appear and present their views, comments and questions regarding the Application. A copy of the Application is on file with the Campbell, McPherson, Edmunds, Faulk, Spink, Beadle, Kingsbury, Miner, Lake, McCook, Minnehaha, Turner, and Lincoln County Auditors pursuant to SDCL 49-41B-15(5) and at the Commission's office in Pierre. The Application and all other documents in the case, including detailed maps of the Project, may be accessed on the Commission's web site at [www.puc.sd.gov](http://www.puc.sd.gov) under Commission Actions, Commission Dockets, Hydrocarbon Pipeline Dockets, 2014 Hydrocarbon Pipeline Dockets, HP14-002 or by contacting the Commission in person at the Capitol Building, 500 E. Capitol Ave, Pierre, SD, or by phone at (605) 773-3201 or (800) 332-1782.

Pursuant to SDCL 49-41B-17 and ARSD 20:10:22:40, the parties to this proceeding are currently the Applicant and the Commission. Any person residing in the area of the Project; each municipality, county, and governmental agency in the area where the Project is proposed to be sited; any non-profit organization formed in whole or in part to promote conservation or natural beauty, to protect the environment, personal health or other biological values, to preserve historical sites, to promote consumer interests, to represent commercial and industrial groups, or to promote the orderly development of the area in which the Project is to be sited; or any interested person, may be granted party status in this proceeding by making written application to the Commission. Applications for party status will be available at the public input hearings or may be obtained from the Commission's web site or by contacting the Commission. **Applications for party status must be received by the Commission on or before February 13, 2015.**

Following the public input hearings, the Commission may schedule a formal evidentiary hearing conforming to SDCL Chapter 1-26 to consider any issues raised by any intervening party, the Commission's staff, or the Commission itself. At such formal hearing, all parties will have the opportunity to appear, present evidence, and cross-examine the other parties' witnesses and exercise all other rights afforded by SDCL Chapters 1-26, 49-1, and 49-41B and ARSD Chapters 20:10:01 and 20:10:22, including rights of appeal to the courts. Absent a contested issue, the Commission will schedule the matter for decision at a regular or ad hoc meeting of the Commission.

For approval, the Applicant must show that the proposed pipeline Project will comply with all applicable laws and rules, will not pose a threat of serious injury to the environment nor to the social and economic condition of inhabitants or expected inhabitants in the siting area, will not substantially impair the health, safety or welfare of the inhabitants, and will not unduly interfere with the orderly development of the region with due consideration having been given to the views of governing bodies of affected local units of government. Based upon these factors, the Commission will decide whether the permit should be granted, denied, or granted upon such terms, conditions, or modifications of the construction, operation, or maintenance as the Commission finds appropriate.

It is therefore

ORDERED, that the Commission will hold public input hearings on the Project: on Wednesday, January 21, 2015, from noon (12:00 p.m. CST) until 3:00 p.m. in the Bowdle School Gymnasium, Bowdle, S.D.; on Wednesday, January 21, 2015, from 6:00 p.m. CST until 9:00 p.m. in the Redfield School Auditorium, Redfield, S.D.; on Thursday, January 22, 2015, from 10:30 a.m. CST until 1:30 p.m. in the Iroquois School Gymnasium, Iroquois, South Dakota; and on Thursday, January 22, 2015, from 5:30 p.m. CST until 8:30 p.m. at the Ramkota Hotel & Conference Center, Sioux Falls, S.D. It is further

ORDERED, that pursuant to SDCL 49-41B-17 and ARSD 20:10:22:40, applications for party status must be filed on or before February 13, 2015.

Pursuant to the Americans with Disabilities Act, these hearings will be held in physically accessible locations. Please contact the Public Utilities Commission at (605) 773-3201 or (800) 332-1782 at least 48 hours prior to the hearing if you have special needs so arrangements can be made to accommodate you.

Dated at Pierre, South Dakota, this 16<sup>th</sup> day of December, 2014.

<b>CERTIFICATE OF SERVICE</b>
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, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.
By: <u><i>[Signature]</i></u>
Date: <u>12.16.14</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

*[Signature]*  
GARY HANSON, Chairman

*[Signature]*  
CHRIS NELSON, Commissioner

*[Signature]*  
KRISTIE FIEGEN, Commissioner