

► [Commission Minutes](#) | [previous page](#)

**South Dakota Public Utilities Commission Meeting**  
**November 30, 2015, at 1:30 p.m. CST**  
**Room 413, Capitol Building**  
**Pierre, South Dakota**

#### MINUTES OF THE AD HOC COMMISSION MEETING

Chairman Chris Nelson called the meeting to order. Commissioner: Gary Hanson; Acting Commissioner: Rich Sattgast; Commission Counsel: Rolayne Wiest; Commission Advisor: Greg Rislov; Staff Attorneys: Karen Cremer, Adam de Hueck, and Kristen Edwards; Staff Analysts: Brian Rounds and Darren Kearney; and Staff: Katlyn Gustafson.

Also present were:

Cheri Whittler, Court Reporter; Margo Northrup, Riter, Rogers, Wattier & Northrup LLP, representing South Dakota Association of Rural Water Systems, Inc.; Brett Koenecke and Kara Semmler, May, Adam, Gerdes and Thompson, LLP, representing Dakota Access, LLP; Bob Mercer, reporter; James Nord, Associated Press; and Joey Mahmoud, Stephen Veatch, Keegan Pieper, Vicki Granados, and Steven Cardella, Dakota Access, LLC.

Joining the meeting by telephone were:

Tom and Nancy Stofferahn, self; Linda Nichols, self; Jennifer Baker and Thomasina Real Bird, Fredericks Peebles & Morgan LLP, representing Yankton Sioux Tribe; Matt Rappold, Rappold Law Office, representing Rosebud Sioux Tribe Sicangu Oyate Land Office and Rosebud Sioux Tribe Sicangu Lakota Treaty Office.

#### **Hydrocarbon Pipeline**

##### **1. HP14-002 In the Matter of the Application of Dakota Access, LLC for an Energy Facility Permit to Construct the Dakota Access Pipeline (Staff Analysts: Brian Rounds, Darren Kearney; Staff Attorneys: Kristen Edwards, Karen Cremer)**

A lengthy discussion took place regarding docket HP14-002. An audio of the discussion can be found on the PUC website under Commission Actions, Commission Meeting Archives, 2015, November 30, 2015, recording located at:

<http://puc.sd.gov/commission/media/2015/puc11302015.mp3>

**Commissioner Nelson moved to grant the permit with the conditions provided as Exhibit A to DAPL's Reply Brief.**

**Commissioner Nelson moved to amend the permit conditions to read as described in Commissioner Nelson's Draft Amendment to the Proposed Conditions accessible at: <http://www.puc.sd.gov/commission/dockets/HydrocarbonPipeline/2014/HP14-002/draft.pdf> with the word "approve" in 16B(a) changed to "approved" and the inclusion of the two amendments to 16B as requested by Dakota Access. Motion carried 3-0.**

**Commissioner Nelson moved to amend the previously amended conditions as described in Commissioner Nelson's Additional Draft Amendments to the Proposed Conditions accessible at: <http://www.puc.sd.gov/commission/dockets/HydrocarbonPipeline/2014/HP14-002/draft2.pdf> with the exception of the last paragraph on organic farming. Motion carried 3-0.**

**Commissioner Hanson moved a substitute motion to deny the permit. Motion failed 1-2.**

Motion carried as amended 2-1. Commissioner Hanson dissenting.

**Commissioner Nelson moved to grant City of Sioux Falls and Dakota Access, LLC's Joint Motion regarding Stipulated Finding of Fact, Conditions, and Exhibits filed on October 2,**

**2015.** Motion carried 3-0.

There being no further business, at the hour of 3:59 p.m. the South Dakota Public Utilities Commission meeting adjourned.

/s/Joy Lashley

Joy Lashley

Administrative Assistant

[puc@state.sd.us](mailto:puc@state.sd.us)

November 30, 2015