

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

IN THE MATTER OF THE APPLICATION OF)	ORDER GRANTING WAIVER
DAKOTA ACCESS, LLC FOR AN ENERGY)	AND INTERVENTION AND
FACILITY PERMIT TO CONSTRUCT THE)	PARTY STATUS
DAKOTA ACCESS PIPELINE)	
)	HP14-002

On December 15, 2014, the South Dakota Public Utilities Commission (Commission) received an energy facility permit 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. Per SDCL 49-41B-24, the Commission has one year from the date of application to render a decision on the application. On December 16, 2014, the Commission issued a Notice of Application; Order for and Notice of Public Input Hearings; Notice of Opportunity to Apply for Party Status (Notice). On December 17, 2014, Dakota Access filed a Motion for Waiver of ARSD 20:10:22:39. On December 23, 2014, Dakota Access filed a revised application and revised Exhibits A and C. On January 21, 2015, the Commission held public input hearings in Bowdle and Redfield, S.D. On January 22, 2015, the Commission held public input hearings in Iroquois and Sioux Falls, S.D.

On December 18, 2014, the Commission electronically transmitted the Notice and the intervention deadline to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv and filed the application with the County Auditor of each county wholly or partially within the Project area. Notice of the application and opportunity to apply for party status was also published in newspapers of general circulation in each county wholly or partially within the area of the proposed Pipeline route. As required by ARSD 20:10:22:39, a deadline for filing a request for party status was set for February 13, 2015. Several parties have filed Applications for Party Status. The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-41B, specifically 49-41B-17 and ARSD Chapter 20:10:22.

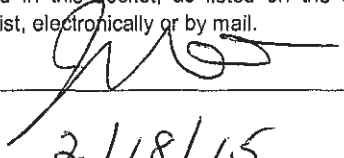
At its regularly scheduled meeting on February 13, 2015, the Commission considered the Motion for Waiver of ARSD 20:10:22:30, as well as all applications for party status received through February 12, 2015. The Commission's staff recommended the requested waiver be granted. Dakota Access did not object to any of the applications for party status. It is therefore

ORDERED, that a waiver of ARSD 20:10:22:39 is hereby granted. It is further

ORDERED, that intervention be granted to the South Dakota Department of Transportation, Lake County, WEB Water Development Association, Inc., Randy Kuehn, Lincoln County Board of Commissioners, Pente Farms, LLC, Minnehaha County Board of

Commissioners, Peggy A. Hoogestraat, Joy A. Hohn, Marilyn J. Murray, City of Hartford, Rocky Acres Land Investment, LLC, Linda Goulet, Dale E. Sorenson Life Estate, Dakota Rural Action, Dale and Debra K. Sorenson, Duane Sorenson, Dennis Sorenson, Douglas Sorenson, Haugen Investments, LP, Phillip Fett, Orrin E. Geide, Shirley M. Oltmann, Bradley F. Williams, Craig L. Walker, Dotta-Jo A. Walker, Kevin J. Schoffelman, City of Sioux Falls, Delores Andreessen Assid, Charles J. Johnson, Janice El Petterson, Corliss F. Wiebers, Paul A. Nelsen, and Paul A. Seamans.

Dated at Pierre, South Dakota, this 18th day of February, 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: <u></u>
Date: <u>2/18/15</u>
(OFFICIAL SEAL)

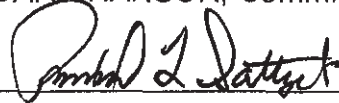
BY ORDER OF THE COMMISSION:



CHRIS NELSON, Chairman



GARY HANSON, Commissioner



RICH SATTGAST, Acting Commissioner