

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

IN THE MATTER OF THE APPLICATION OF)	ORDER GRANTING
DAKOTA ACCESS, LLC FOR AN ENERGY)	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 (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. 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). Pursuant to ARSD 20:10:22:40, the Notice set February 13, 2015, as the deadline for filing an Application for Party Status. On December 17, 2014, Dakota Access filed a Motion for Waiver of ARSD 20:10:22:39.

On December 18, 2014, the Commission electronically transmitted the Notice 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. On December 18 and 19, 2014, the Notice was served on the County Auditors of each of the thirteen counties on the proposed Pipeline route and upon the governing bodies of each county and municipality wholly or partially within the area of the proposed Pipeline. 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. On December 23, 2014, Dakota Access filed a revised Application and revised Exhibits A and C. On December 30, 2014, the Commission issued an Order Assessing Filing Fee.

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 January 21, 2015, the Commission held public input hearings in Bowdle and Redfield, South Dakota. On January 22, 2015, the Commission held public input hearings in Iroquois and Sioux Falls, South Dakota. On February 18, 2015, the Commission issued an Order Granting Waiver and Intervention and Party Status granting intervenor party status to all parties that had filed on or before February 12, 2015. The Commission received additional

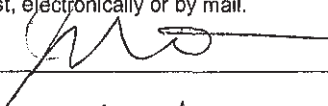
applications for party status on and after February 13, 2015. On February 25, 2015, the Commission issued a Prehearing Scheduling Conference Order.

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 March 2, 2015, the Commission considered the additional Applications for Party Status received on or after February 13, 2015. The Commission's staff recommended approval. Dakota Access did not object to any of the Applications for Party Status. It is therefore

ORDERED, that intervention and party status is granted to John Wellnitz, John Stratmeyer, Lorin Brass, Indigenous Environmental Network, Rosebud Sioux Tribe-Sicangu Oyate Land Office, Rosebud Sioux Tribe-Sicangu Lakota Treaty Office, Yankton Sioux Tribe, KKKP Property, LLLP, Calvin Schreiber, DLK&M, LLC, Pederson Ag, LLC, Jean Osthus, Daniel & Marcia Hoiland, and Mavis Parry.

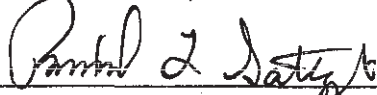
Dated at Pierre, South Dakota, this 5th day of March, 2015.

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>3/5/15</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:


CHRIS NELSON, Chairman


GARY HANSON, Commissioner


RICHARD L. SATTGAST, Acting
Commissioner