



Gary Hanson, Chairperson  
Chris Nelson, Vice Chairperson  
Kristie Fiegen, Commissioner

*South Dakota*

**PUBLIC UTILITIES COMMISSION**

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1-800-332-1782

December 19, 2014

Mark Meierhenry  
Meierhenry Sargent LLP  
315 S Phillips Ave  
Sioux Falls, SD 57104

Dear Mr. Meierhenry:

This is in response to your letter regarding Energy Transfer Partners' Dakota Access Pipeline.

You state, '*Neither Dakota Access nor Energy Transfer Partners have filed any formal documentation with the Public Utility Commission.*' The company filed an application requesting a construction permit for the pipeline on Dec. 15, the same date as your letter. You can find the docket online at [www.puc.sd.gov](http://www.puc.sd.gov) under Commission Actions, Commission Dockets, Hydrocarbon Pipeline Dockets, 2014 Hydrocarbon Pipeline Dockets, and HP14-002. ETP's application materials and maps may answer some of your questions regarding the project. You mention concerns regarding eminent domain, however, as you know, the commission has no jurisdiction with condemnation or eminent domain as that authority resides with the circuit courts.

The commission's authority regarding such projects is referenced in the Pipeline Siting Info Guide and Keystone XL Pipeline Updates, both linked on our home page online. I have enclosed a copy of the former. You will find the commission's order in the docket, referencing public input hearings to be held along the proposed route which you and others may attend to voice your concerns.

The commission's review of this permit application has just begun; thus, we have a great deal of work ahead of us before a decision is made on whether or not to grant a construction permit. I encourage you to follow along via the online docket as information is added, or consider applying to become an intervenor in the docket.

Thank you for writing to express your concerns. The commission values input from the public and comments can be received at any time throughout the proceeding. Since this is an open docket before the commission, your letter and my response will be posted in the docket.

Sincerely,

Gary Hanson