

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA,
County of Kingsbury.

}

SS.

David Tritle

of said county being first duly sworn on oath, says that he is the publisher of **THE DE SMET NEWS**, a weekly newspaper printed and published in De Smet in said County of Kingsbury and has full and personal knowledge of all the facts herein stated; that said newspaper is a legal newspaper and has a bona-fide circulation of a least two hundred copies weekly, and has been published within said County for fifty-two successive weeks next prior to the publication of the notice herein mentioned, and was and is printed wholly or in part in an office maintained at said place of publication; that the

Notice of Public Hearing South Dakota

Public Utilities Commission, a printed copy of which, taken from the paper in which the same was published, is attached to this sheet, and is made a part of this Affidavit, was published in said newspaper at least

once in each week for 1 successive weeks, on the day of each week on which said newspaper was regularly published, to-wit:

<u>12/31</u>	<u>2014</u>	<u>20</u>
<u>20</u>	<u>20</u>	<u>20</u>
<u>20</u>	<u>20</u>	<u>20</u>
<u>20</u>	<u>20</u>	<u>20</u>

that the full amount of the fee charged for the publication of said notice accrues to the benefit of the publisher of said newspaper; that no agreement or understanding for the division thereof has been made with any other person; and that no part thereof has been agreed to be paid to any person whomsoever, and that the fees charged for the publication thereof are

\$ 190.50

[Signature]

Subscribed and sworn to before me this 5th

day of January, A.D. 20 15

Margaret A. Walde
Notary Public

Kingsbury County, South Dakota

My commission expires May 30, 20 18

RECEIVED

JAN 07 2015

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

3X10x6.35 = \$190.50

**NOTICE OF PUBLIC HEARING
SOUTH DAKOTA PUBLIC UTILITIES COMMISSION**

- WHAT:** In the Matter of the Application of Dakota Access, LLC for an Energy Facility Permit to Construct the Dakota Access Pipeline Project
- WHEN/WHERE:** Bowdle, SD: January 21, 2015, 12:00 noon – 3:00 p.m. CST, Bowdle School Gym, 3083 S. 2nd Ave., Bowdle, SD
- Redfield, SD: January 21, 2015, 6:00 p.m. – 9:00 p.m. CST, Redfield School Auditorium, 502 E. 2nd St., Redfield, SD
- Iroquois, SD: January 22, 2015, 10:30 a.m. – 1:30 p.m. CST, Iroquois School South Gym, 111 E. Washita Ave., Iroquois, SD
- Sioux Falls, SD: January 22, 2015, 5:30 p.m. – 8:30 p.m. CST, Roosevelt Room, Ramkota Hotel & Conference Center, 3200 W. Maple St., Sioux Falls, SD

Pursuant to SDCL 49-41B-15 and 49-41B-16, the South Dakota Public Utilities Commission (Commission) will hold public input hearings at the above times and locations on an Application for an Energy Facility Permit filed December 15, 2014, by Dakota Access, LLC (Applicant) for the Dakota Access Pipeline Project (Application). The Application requests Commission approval of a permit to construct a 12-inch to 30-inch pipeline across approximately 271.6 miles in South Dakota for the purpose of transporting crude oil (Project). The line will cross the South Dakota and North Dakota border in Campbell County, South Dakota and extend south and east through McPherson, Edmunds, Faulk, Spink, Beadle, Kingsbury, Miner, Lake, McCook, Minnehaha, Turner, and Lincoln Counties, exiting South Dakota at the South Dakota/ Iowa border in Lincoln County. The proposed pipeline will have an initial capacity of 450,000 barrels of oil per day (bpd) with an anticipated capacity of up to approximately 570,000 bpd. The Project also includes one pump station in South Dakota, located approximately seven miles southeast of Redfield in Spink County.

At the public input hearing, Applicant will present a brief description of the Project, following which interested persons may appear and present their questions, views, and comments regarding the Application and Project. Pursuant to SDCL 49-41B-15(5), the Application is on file in the Campbell, McPherson, Edmunds, Faulk, Spink, Beadle, Kingsbury, Miner, Lake, McCook, Minnehaha, Turner, and Lincoln County Auditors' offices and in the Commission's office in Pierre, and the Application and all other documents in the case, including detailed Project maps, may also be accessed on the Commission's web site at www.puc.sd.gov under Commission Actions, Commission Dockets, Hydrocarbon Pipeline Dockets, 2014 Hydrocarbon Pipeline Dockets, HP14-002.

The parties to this proceeding are currently the Applicant and the Commission's staff (Staff). Pursuant to SDCL 49-41B-17, any person residing in the area of the Project, each municipality, county, and governmental agency in the Project area, 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 project area, or any interested person, may be granted formal party status in this proceeding by making written application to the Commission as provided in ARSD 20:10:22:40 on or before February 13, 2015. Application for Party Status forms will be available at the public input hearings, or may be obtained from the Commission or the Commission's web site.

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, Commission 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 1-26, 49-1 and 49-41B and ARSD 20:10:01 and 20:10:22. Absent a contested issue, the Commission will schedule the matter for decision at a regular or special meeting of the Commission.

For approval, Applicant must show that the 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 are appropriate. The parties will have the right to appeal the final decision in this case to the appropriate Circuit Court by serving and filing a notice of appeal of the decision in accordance with SDCL 1-26-31, within thirty (30) days after the date of service of the notice of decision in this case.

Pursuant to the Americans with Disabilities Act, these hearings are being held in physically accessible locations. Please contact the Commission at least 48 hours prior to the hearing if you have special needs so arrangements can be made to accommodate you. The Commission's contact information is: ph (800) 332-1782; fax (866) 757-6031; www.puc.sd.gov; 500 E. Capitol Ave., Pierre, SD 57501.