

EXHIBIT A

STATE OF SOUTH DAKOTA)
 :SS
COUNTY OF HUGHES)

IN THE CIRCUIT COURT

SIXTH JUDICIAL CIRCUIT

IN THE MATTER OF PUBLIC UTILITIES
COMMISSION DOCKET NO. HP14-002,
DAKOTA ACCESS PIPELINE LLC

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CIV. 16-20

**AFFIDAVIT OF
ASHLEY KLINGLESMTIH**

I, Ashley Klinglesmith, being first duly sworn on oath, do hereby depose and state the following under penalty of perjury:

1. I am at least eighteen (18) years of age and of sound mind and competency to testify to facts based upon my personal knowledge.

2. Since June of 2015, I have been a Legal Secretary/Paralegal at Fredericks Peebles & Morgan LLP (“FPM”), Louisville CO, 80027, (303) 673-9600.

3. On the afternoon of January 13, 2016 I contacted the Hughes County Clerk of Court’s Office at (605) 773-3713 to determine the process by which to file a Notice of Appeal in the above captioned matter.

4. I spoke with a clerk and explained that I would be filing a Notice of Appeal from the Public Utilities Commission and inquired as to the filing process. The clerk asked me if I would be filing electronically and I explained that we did not have an electronic filing account set up. The clerk then placed me on hold for several minutes.

5. While I was on hold I checked the Court's website and found a link for Odyssey File & Serve. I quickly reviewed this site and attempted to register my attorney, Thomasina Real Bird, South Dakota Bar Number 4415. When I attempted to register her an error message appeared that stated her bar number could not be verified. Because the system could not verify Attorney Real Bird's bar number, I was unable to register her, even though she is licensed and in good standing to practice law in South Dakota.

6. I continued to search the Hughes County Court website and found the following under the frequently asked questions section at http://uj.s.sd.gov/Sixth_Circuit/FAQ/ :

Can I fax documents to the Court?

Fax filings are allowed, for a fee, but must be followed up by mailing the original document. Contact the Clerk of Courts where your case is pending for specific information.

7. When the clerk returned to the phone I advised her of what I had found under the Frequently Asked Questions section of the website and asked if faxed filings were permitted. I navigated her to the section I had found so she could review what I was talking about. I was then placed on another hold.

8. The clerk returned several minutes later and advised that fax filings were allowed and that the filing fee was \$10.00 for the first ten pages and \$1.00 for every subsequent page.

9. To clarify, I asked if that meant if I fax the Notice of Appeal, place the hard copy in the mail with a check for the filing fee, then the filing date would be the date I sent the fax. I was advised by the clerk that the filing date would be the date of the fax.

10. After this phone conversation I faxed the completed filing to (605) 773-3875 at 2:52 p.m. MST (3:52 p.m. CST) on January 13, 2016.

11. The Notice of Appeal filing totaled 48 pages. Per the fee schedule provided by the clerk of \$10.00 for the first ten pages and \$1.00 for each subsequent page, the total filing fee would equal \$48.00. I placed the original filing with a check for \$48.00 in the U.S. Mail, addressed to the Hughes County Court, on January 13, 2016.

12. It was my understanding and belief at this time that I had complied with the rules of the Hughes County Sixth Circuit Court and that the Notice of Appeal would be marked as filed upon the Court's receipt of the fax on January 13, 2016.

13. On January 19, 2016 I received an email from Deputy Clerk of Courts Tracy Frost advising that she had received our mailed paperwork but that we were missing the case filing statements and that the filing fee was in fact \$70.00. When I received this email it did not occur to me that the appeal would not receive the filing date of January 13, 2016, since I had been told that fax filing was acceptable and we sent the fax filing on January 13, 2016, and I had never been notified otherwise.

14. I emailed the case filing statements to Ms. Frost and placed a check in the U.S. Mail for the \$70.00 filing fee.

15. I contacted the Court on Friday, January 22, 2016 to ensure that the check had arrived. I was told that it had in fact not arrived. At this time I sent another check and sent it via FedEx overnight service. The second check arrived on Monday, January 25, 2016 and was cashed that day.

FURTHER AFFIANT SAYETH NAUGHT.

March 29th, 2016

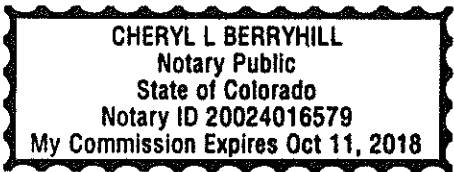


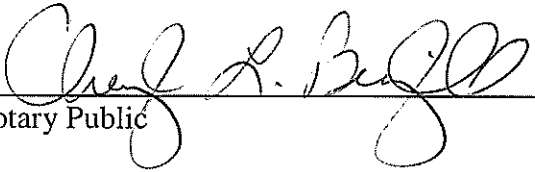
Ashley Kinglesmith

State of Colorado)
) ss.
County of Boulder)

The above named affiant Ashley Klinglesmith personally appeared before me on the 29th day of March, 2016, and first being duly sworn, did acknowledge the statements above and subscribed his name thereto.

Witness my hand and official seal.





Notary Public