

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

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| <b>IN THE MATTER OF THE PETITION OF )</b>    | <b>ORDER FOR AND NOTICE OF</b> |
| <b>TRANSCANADA KEYSTONE PIPELINE, LP )</b>   | <b>MOTION HEARING ON LESS</b>  |
| <b>FOR ORDER ACCEPTING CERTIFICATION )</b>   | <b>THAN 10 DAYS' NOTICE</b>    |
| <b>OF PERMIT ISSUED IN DOCKET HP09-001 )</b> |                                |
| <b>TO CONSTRUCT THE KEYSTONE XL )</b>        |                                |
| <b>PIPELINE )</b>                            | <b>HP14-001</b>                |

On September 15, 2014, TransCanada Keystone Pipeline, LP (TransCanada or Keystone) filed with the South Dakota Public Utilities Commission (Commission) a Petition for Order Accepting Certification under SDCL §49-41B-27 seeking an order accepting certification of the energy facility permit issued in Docket HP09-001 for construction of the Keystone XL Pipeline. On June 29, 2010, the Commission issued an Amended Final Decision and Order; Notice of Entry granting a permit to TransCanada for construction of the Keystone XL Pipeline. TransCanada now seeks an order accepting certification pursuant to SDCL 49-41B-27. The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-26 and 49-41B, specifically 49-41B-27, and ARSD Chapters 20:10:22 and 20:10:01, specifically 20:10:01:22.02 and 20:10:22.

On September 18, 2014, the Commission electronically transmitted notice of the filing and the intervention deadline of October 15, 2014, to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv. Applications for Party Status were received from forty-three persons, and on November 4, 2014, the Commission issued an Order Granting Intervention and Party Status to forty-two of the applicants. Three parties have since been granted withdrawal of party status. On December 17, 2014, the Commission issued an Order Granting Motion to Define Issues and Setting Procedural Schedule. On May 5, 2015, the Commission issued an Amended Procedural Schedule. On May 28, 2015, the Commission issued an Order Granting TransCanada's Motion to Preclude Witnesses (Order). In its Order, the Commission precluded testimony from Intertribal Council on Utility Policy (COUP) witnesses Dr. James Hansen, Dr. George Seielstad, and Dr. Robert Oglesby. The Commission found that the testimony, which related to climate change, was beyond the scope of the certification proceeding.

On June 26, 2015, the Intertribal COUP filed prefiled rebuttal testimony for Dr. James Hansen and Dr. Robert Oglesby. On July 20, 2015, the Commission received Intertribal COUP's Motion for Reconsideration of May 28, 2015 Order to Preclude Rebuttal Witnesses and Objection to Keystone's July 10th Motion to Preclude.

On July 16, 2015, the Commission received a Motion for Time Certain for Witness Testimony from Diana Steskal, in which Ms. Steskal asserts that she will only be available to attend the evidentiary hearing on July 29-30, 2015, and requests to present her testimony on one of those dates.

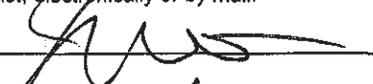
Pursuant to ARSD 20:10:01:22.02, the Commission may order a hearing on less than ten days notice if the Commission determines good cause exists therefor. The Commission

finds that because the evidentiary hearing is less than ten days away, good cause exists to hear the Motions on less than ten days' notice.

It is therefore

ORDERED, that a hearing on Intertribal COUP's Motion for Reconsideration of May 28, 2015 Order to Preclude Rebuttal Witnesses and Objection to Keystone's July 10th Motion to Preclude and the Motion for Time Certain for Witness Testimony will be held by the Commission in connection with its regular meeting on July 21, 2015, along with all other motions previously noticed for hearing on that date, beginning at 9:30 A.M. CDT in Rm. 413, Capitol Building, Pierre, SD.

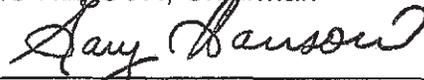
Dated at Pierre, South Dakota, this 20<sup>th</sup> day of July, 2015.

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| <b>CERTIFICATE OF SERVICE</b>   |
| 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>7/20/15</u>  |
| (OFFICIAL SEAL)   |

BY ORDER OF THE COMMISSION:



CHRIS NELSON, Chairman



GARY HANSON, Commissioner