

IN THE SUPREME COURT OF THE STATE OF SOUTH DAKOTA  
9th Feb 2018

IN THE SUPREME COURT  
OF THE  
STATE OF SOUTH DAKOTA

SUPREME COURT  
STATE OF SOUTH DAKOTA  
FILED

JAN 19 2018

*Shirley A. Johnson Legal*  
Clerk

*David Gilbertson*

\* \* \* \*

IN THE MATTER OF PUC DOCKET )  
HP 14-0001, ORDER ACCEPTING )  
CERTIFICATION OF PERMIT )  
ISSUED IN DOCKET HP 09-001 )  
TO CONSTRUCT THE KEYSTONE XL )  
PIPELINE. )

ORDER DISMISSING APPEAL

#28334

Appellee TransCanada Keystone Pipeline, LP, under SDCL 15-26A-80 and SDCL 15-26A-87.2, having served and filed a motion to dismiss the appeal filed by Intertribal Council on Utility Policy for failure to file a brief or otherwise prosecute the appeal in the above-entitled matter, and no response having been filed thereto, and the Court having considered the motion and being fully advised in the premises, now, therefore, it is

ORDERED that the appeal be and it is hereby dismissed.

DATED at Pierre, South Dakota, this 19th day of January, 2018.

BY THE COURT:

*David Gilbertson*

David Gilbertson, Chief Justice

ATTEST:

*[Signature]*

Clerk of the Supreme Court  
(SEAL)

(Justice Steven R. Jensen disqualified.)

PARTICIPATING: Chief Justice David Gilbertson, Justices Steven L. Zintz, Glen A. Severson, Janine M. Kern and

STATE OF SOUTH DAKOTA  
CIRCUIT COURT, HUGHES CO  
FILED

FEB 12 2018

*Keelie Johnson* Clerk  
By *[Signature]* Deputy