

Re: HP14-001

To: South Dakota Public Utilities Commission and Intervenors in the Keystone XL permit hearings.

In response to TransCanada's Motion, To Define The Scope Of Discovery Under SDCL 49-41B.

I wish to take exception with TransCanada's motion to limit discovery as filed on 10/30/14. While TransCanada appears agreeable to the

(1) 50 Amended Permit Conditions being allowed in discovery, I feel that their request to limit the

(2) Findings of Fact to only those sections as identified in TransCanada's Tracking Table of Changes attached as Exhibit C to TransCanada's Petition For Order Accepting Certification Under SDCL 49-41B, as filed on 9/15/14, will unjustly limit the scope of discovery.

TransCanada's motion would disallow 70 of the 115 Findings of Fact as well as the 16 Conclusions of Law. Many of these sections that TransCanada wants to exclude are important in determining if, in fact, TransCanada continues to meet all requirements in the permit.

As a landowner, who was not on the original route proposed 4 years ago, I have input that is relevant to the decision. This is new information that was not considered during the initial presentation.

TransCanada has chosen a reckless route across Keya Paha County in Nebraska. They choose to ignore input that the land forms they are traversing, within the Keya Paha River drainage, are highly unstable. The Keya Paha River drainage is a sub-drainage of the Missouri River and hence will provide a direct South Dakota impact.

By limiting testimony to just the 50 Amended Permit Conditions, TransCanada would effectively block testimony that is relevant to South Dakota and is directly related to sections 36 and 40 of land safety identified in the 115 Findings of Fact.

Thank You for your considerations,

Robert G. Allpress, landowner on the altered KXL route.