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South Dakota Public Utilities Commission
500 E. Capitol Ave.
Pierre, S.D. 57501

H.P. 14-001 XL

RECEIVED

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SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

Dear Members of the P.U.C.

I write you today to make some comments on the construction of the Keystone Pipeline. I have been severely concerned about one major concept of the legality of this act strictly because of the national origin of the pipeline company itself. Allowing a foreign nation the right and privilege to condemn land in the U.S., not just buy it for such a purpose, I feel, is outrageous. The federal government, nor your body of regulators, cannot and should not allow foreign citizens the rights of our own citizens and I also mean corporations as well, since corporations are legal individuals and citizens thereby.

The U.S. constitution has a place for this type of thing. The 11th amendment shows that foreign nations have no place in our courts in suits of law or equity against our citizens, because they are not U.S. citizens. This sets the ~~precedent~~ precedent, then, that non-U.S. citizens have no right to apply their laws to us in suits, and we have no authority to grant them the same rights as we have in court cases involving any suit in law or equity.

Under these circumstances, I would ask, what are the feds thinking? Furthermore, since the P.U.C. is not the federal authorities here, the constitution of the State of South Dakota applies. ~~Also~~, Our constitution says, under Corporations, Subsection 18, and I quote, "Equal Privileges or immunities. No law shall be passed granting to any citizen, class of citizens or corporations, privileges or immunities which upon the same terms, shall not equally belong to all citizens or corporations."

I, as a private citizen, do not have the right to declare the need for access to a neighbors land, ~~for~~ for instance, for a right of way and if he refuses to sell, condemn his land by eminent domain, but, as far as I can tell, the state allows corporations to do so. This, according to § 18 is incorrect. Letting a foreign corporation do this, especially one not from the United States, is a double violation of § 18.

I, realize that the P.M.C. is not passing any laws here, but the policy of eminent domain, itself, is a violation of the constitution of South Dakota and the United States.

In spite of these facts, I have seen the usual lack of attention paid to our constitutions of both entities by bureaucrats in Washington and in South Dakota, over money, I'm sure. Our national legislators are so ready to have this thing put through, they all are obviously indicting themselves for the financial acceptance of campaign funds, which is ~~inevitable~~.

People, we cannot have citizens in our state or any state, threatened by corporations foreign or domestic, to take our land or else. It's just wrong as could be, and it's illegal.

For the record, I do not own any land which is being taken for this pipeline. Keystone should be forced to pay any price a landowner wants and also be forced to pay a monthly royalty to each landowner they put that line across. If they won't do that, tell them to go back home.

Thank you for the opportunity to make these comments.

Sincerely,

Buz Altman.

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