

# **EXHIBIT B**



## INTERROGATORIES

1. State the name, current address, and telephone number of the person answering these interrogatories.
2. State the name, current address, and telephone number of any person, other than your legal counsel, who you talked with about answering these interrogatories, who assisted you in answering these interrogatories, or who provided information that you relied on in answering these interrogatories.
3. State the name, current address, and telephone number of each fact witness you intend to call to offer testimony at the evidentiary hearing in this case set for May 2015.
4. State the name, current address, and telephone number of each witness whom you intend to call at the evidentiary hearing as an expert witness under SDCL Ch. 19-15, and for each expert, state:
  - a. the subject matter on which the expert is expected to testify;
  - b. the substance of each opinion to which the expert is expected to testify;
  - c. the facts supporting each opinion to which the expert is expected to testify;

d. the expert's profession or occupation, educational background, specialized training, and employment history relevant to the expert's proposed testimony;

e. the expert's previous publications within the preceding 10 years; and

f. all other cases in which the witness has testified as an expert at trial or by deposition within the preceding four years.

5. Identify by number each condition in Exhibit A to the Amended Final Decision and Order dated June 29, 2010, entered in HP09-001, that you contend Applicant TransCanada Keystone Pipeline, LP, cannot now or in the future meet, and for each condition that you identify, state:

a. the facts on which your contention is based; and

b. the name, current address, and telephone number of each witness who will testify that Applicant is unable to meet the condition.

6. Identify by number each finding of fact in the Amended Final Decision and Order dated June 29, 2010, entered in HP09-001, that you contend is no longer accurate because of a change in facts or circumstances related to the proposed construction and operation of the Keystone XL Pipeline in South Dakota, and for each finding that you identify, state:

a. the facts on which your contention is based; and

b. the name, current address, and telephone number of each witness who will testify that the finding of fact is no longer accurate.

7. In addition to the facts identified in your responses to interrogatory numbers 5 and 6, identify any other reasons that you contend Applicant cannot continue to meet the conditions on which the Permit granted, and for each reason that you identify, state:

- a. the condition in the Amended Final Decision and Order dated June 29, 2010 entered in HP09-001, identified by number;
- b. the facts on which your contention is based; and
- c. the name, current address, and telephone number of each witness who will testify in support of your contention.

8. In addition to the facts identified in your responses to the preceding interrogatories, identify any other reason why the Public Utilities Commission should not accept Applicant's certification filed September 15, 2014 in HP14-001, and for each reason that you identify, state:

- a. the facts on which your contention is based; and
- b. the name, current address, and telephone number of each witness who will testify in support of your contention.

## **REQUESTS FOR PRODUCTION OF DOCUMENTS**

1. All documents that you intend to offer as exhibits at the evidentiary hearing in this matter.
2. All documents on which you rely in support of your answer to Interrogatory No. 5.
3. All documents on which you rely in support of your answer to Interrogatory No. 6.
4. All documents on which you rely in support of your answer to Interrogatory No. 7.
5. All documents on which you rely in support of your answer to Interrogatory No. 8.
6. All documents relied on by any expert whose testimony you intend to offer at the evidentiary hearing in this matter.
7. All documents that you have sent to or received from any expert whose testimony you intend to offer at the evidentiary hearing in this matter.
8. A current resume for each expert whose testimony you intend to offer at the evidentiary hearing in this matter.

Dated this 18<sup>th</sup> day of December, 2014.

WOODS, FULLER, SHULTZ & SMITH P.C.

By /s/ James E. Moore

William Taylor  
James E. Moore  
PO Box 5027  
300 South Phillips Avenue, Suite 300  
Sioux Falls, SD 57117-5027  
Phone (605) 336-3890  
Fax (605) 339-3357  
Email [james.moore@woodsfuller.com](mailto:james.moore@woodsfuller.com)  
[bill.taylor@woodsfuller.com](mailto:bill.taylor@woodsfuller.com)  
Attorneys for Applicant TransCanada

#### CERTIFICATE OF SERVICE

I hereby certify that on the 18<sup>th</sup> day of December, 2014, I sent by e-mail transmission, a true and correct copy of Keystone's Interrogatories and Requests for Production of Documents, to the following:

The Yankton Sioux Tribe  
Robert Flying Hawk, Chairman  
PO Box 1153  
Wagner, SD 57380  
[robertflyinghawk@gmail.com](mailto:robertflyinghawk@gmail.com)

Thomasina Real Bird  
Attorney for Yankton Sioux Tribe  
[trealbird@ndnlaw.com](mailto:trealbird@ndnlaw.com)

/s/ James E. Moore

One of the attorneys for TransCanada

December 18, 2014

James E. Moore  
[James.Moore@woodsfuller.com](mailto:James.Moore@woodsfuller.com)  
Extension 613

**Via e-mail or U.S. mail**

John H. Harter  
Rosebud Sioux Tribe – Tribal  
Utility Commission  
Elizabeth Lone Eagle  
Paul F. Seamans  
Viola Waln  
Wrexie Lainson Bardaglio  
South Dakota Wildlife  
Federation  
Cheyenne River Sioux Tribe  
Jerry D. Jones  
Cody Jones  
Debbie J. Trapp  
Gena M. Parkhurst  
Sierra Club

Byron T. Steskal  
Arthur R. Tanderup  
Lewis GrassRope  
Carolyn P. Smith  
Robert G. Allpress  
Jeff Jensen  
Dakota Rural Action  
Chastity Jewett  
Indigenous Environmental Network  
Dallas Goldtooth  
RoxAnn Boettcher  
Bonny Kilmurry  
Ronald Fees  
Intertribal Council on Utility Policy  
Standing Rock Sioux Indian Tribe

Cindy Myers, R.N.  
Bold Nebraska  
Diana L. Steskal  
Cheryl Frisch  
Terry Frisch  
Yankton Sioux Tribe  
Amy Schaffer  
Louis T. Genung  
Nancy Hilding  
Gary F. Dorr  
Bruce Boettcher  
Rosebud Sioux Tribe  
Joye Braun  
350.org  
PUC staff

**Re:** In the Matter of the Application by TransCanada Keystone Pipeline, LP for a Permit Under the South Dakota Energy Conversion and Transmission Facilities Act to Construct the Keystone XL Project- HP 14-001

Ladies and Gentlemen:

Enclosed are Keystone's Interrogatories and Requests for Production of Documents addressed to each of you. This is intended as service by e-mail or U.S. mail. The same set of discovery is being served on each of you.



**WOODS, FULLER, SHULTZ & SMITH P.C.**

Ladies and Gentlemen  
December 18, 2014  
Page 2

Please note that under SDCL §§ 15-6-33(a) and 15-6-34(b), you have 30 days from the date of service to answer the discovery.

Very truly yours,

WOODS, FULLER, SHULTZ & SMITH P.C.

A handwritten signature in blue ink, appearing to read "James E. Moore".

James E. Moore

Enclosure

cc: Patricia Van Gerpen (w/o enc)