

PREFILED REBUTTAL TESTIMONY

OF

**MEMBER OF THE YANKTON SIOUX TRIBE BUSINESS & CLAIMS COMMITTEE
(CONSISTING OF ELECTED MEMBERS: ROBERT FLYING HAWK,
QUENTIN JB BRUGIER, JR., MONA WRIGHT, JUSTIN SONGHAWK,
LEO O'CONNER, JEAN ARCHAMBEAU, GLENFORD SAM SULLY, JASON COOKE,
AND EVERDALE SONG HAWK)**

Docket No. HP14-001

IN THE MATTER OF THE APPLICATION OF TRANSCANADA KEYSTONE PIPELINE, LP FOR
ORDER ACCEPTING CERTIFICATION OF PERMIT ISSUED IN DOCKET HP09-001 TO
CONSTRUCT THE KEYSTONE XL PIPELINE

Exhibit 9012

YST_00356

1. Are you a member of the Yankton Sioux Tribe or any other tribe?

A. I am an enrolled member of the Yankton Sioux Tribe.

2. What is your occupation or what kinds of work do you do?

A. I am an elected member of the Yankton Sioux Tribe Business and Claims Committee.

3. On whose behalf was this testimony prepared?

A. This testimony was prepared on behalf of the Yankton Sioux Tribe.

4. Under what authority are you providing this testimony?

A. Pursuant to Article IV of the Amended Bylaws of the Yankton Sioux Tribal Business and Claims Committee, the Business and Claims Committee shall act as liaison between the Tribe and state governments.

5. Please state the purpose of your testimony in this proceeding.

A. The main objective of the Yankton Sioux Tribe through this testimony is to rebut the testimony provided by TransCanada and any other party providing testimony in support of TransCanada's position because TransCanada does not or cannot continue to meet all conditions upon which the permit was issued. I can provide testimony on subjects including the interactions between TransCanada and the Yankton Sioux Tribe, the status of the Tribe as a local unit of government (please see TransCanada's response to Interrogatory No. 11 of Exhibit A attached to this testimony), the position of the Yankton Sioux Tribe on the proposed Keystone XL pipeline, the Programmatic Agreements executed in conjunction with the Final Environmental Impact Statement and the Final Supplemental Environmental Impact Statement (attached to this prefiled testimony as Exhibits B and C, respectively), governing treaties between the United States and the Yankton Sioux Tribe, and the threats posed by the proposed project to the Yankton Sioux Tribe and its members as appropriate based on the testimony offered by TransCanada.