



Chris Nelson, Chairperson
Kristie Fiegen, Vice Chairperson
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South Dakota

PUBLIC UTILITIES COMMISSION

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November 12, 2015

Mel Beyers
[REDACTED]

Roscoe, S.D. 57471-6907

Dear Mr. Beyers:

This is in response to your letter regarding the Dakota Access Pipeline permit application request that is currently an open docket before the commission.

No decision has been made yet on the pipeline permit application by my fellow commissioners and me. Dakota Access filed their application on Dec. 15, 2014; therefore, the commission will issue a decision by Dec. 15, 2015 to stay within the one-year statutory limit. You reference the public input hearing on the application at Bowdle on Jan. 21, 2015 at which time representatives for Dakota Access Pipeline presented their information on the project while PUC commissioners, PUC staff members, affected landowners and interested individuals like you – all listened and learned about the proposed project from the company that filed the permit application request with this commission.

The commission's evidentiary hearing concluded Oct. 9, and the next step in the procedural schedule posted in the docket is the drafting of reply briefs by the various parties involved in the case. These briefs are due to the commission on Nov. 20. This schedule also reflects that the oral decision by the commission is scheduled for Nov. 30.

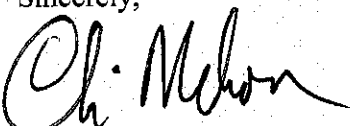
A synopsis of the permit application review process is provided in the Pipeline Siting Guide linked to the commission's homepage online at www.puc.sd.gov and attached. Here are excerpts from that document regarding easements and eminent domain:

The PUC is not involved in the easement acquisition process that occurs between applicants and landowners. Likewise, the PUC does not have a role in the eminent domain process, which is handled in the circuit court system. Landowners with concerns about these issues should seek advice from their personal attorney.

These are also addressed in the Dakota Access Pipeline Frequently-Asked-Questions document online and attached.

Thank you for writing to share your opinions. I appreciate your frustrations and concerns as a landowner. Your letter and my response will be posted under Comments and Responses in the formal docket, HP14-002; so my fellow commissioners and all parties to the open, public docket have access to them.

Sincerely,


Chris Nelson