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Kristie Fiegen, Vice Chairperson  
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*South Dakota*

**PUBLIC UTILITIES COMMISSION**

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October 22, 2015

Laurie Kunzelman

[REDACTED]  
Sioux Falls SD 57108

Dear Ms. Kunzelman:

This is in response to your Oct. 19 letter regarding the Dakota Access Pipeline permit application request currently open before the commission.

As you know from discussion during the pipeline's evidentiary hearing in which you participated, no decision has been made yet on the pipeline permit application. 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.

The evidentiary hearing concluded Oct. 9, and the various parties are now drafting their post-hearing briefs per the schedule posted in the docket on Oct. 13:

- Nov. 6 – Briefs due from all parties
- Nov. 20 – Reply briefs due
- Nov. 30 – Oral decision
- Dec. 15 – Statutory deadline for final commission decision

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](http://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 again. I appreciate your frustrations and concerns as well as those of your family as landowners along the proposed project route. Your letter and my response will be posted under Comments and Responses in the formal docket so my fellow commissioners and all parties to the open, public docket have access to them.

Sincerely,

Chris Nelson