

From: PUC

Sent: Friday, September 16, 2016 4:01 PM

To: [REDACTED]

Subject: HP14-002

Ms. Smith:

Thank you for your message regarding the Dakota Access Pipeline siting permit issued by the commission, and allowing me to share important information regarding your concerns and the commission's authority. Since construction of the pipeline is underway, the project is not yet completed and the docket, HP14-002, remains open. Therefore, your comments and my response will be posted under Comments and Responses in the docket.

If you haven't already, I encourage you to read through the complete docket available on the PUC's website at <http://www.puc.sd.gov/Dockets/HydrocarbonPipeline/2014/hp14-002.aspx>. You will want to review the final order issued by the commission, <http://puc.sd.gov/commission/orders/hydrocarbonpipeline/2015/hp14-002decision.pdf>, and the accompanying 70 permit conditions, <http://puc.sd.gov/commission/orders/hydrocarbonpipeline/2015/hp14-002decisionexhibita.pdf>.

Two other documents that will be helpful to you are the FAQ, <http://www.puc.sd.gov/Dockets/HydrocarbonPipeline/2014/hp14-002faq.aspx>, and the Siting Guide, <http://www.puc.sd.gov/commission/Publication/sitinghandout.pdf>.

As you will read in the latter, the PUC is not involved in the easement acquisition process between applicants and landowners. Likewise, the PUC does not have jurisdiction over the eminent domain process, which is handled in the circuit court system.

The information contained in the docket record is responsive to your comments regarding other required permits, required federal Pipeline and Hazardous Materials Safety Administration plans, the environmental review completed, and what consultations are required by South Dakota Codified Law.

As you will see by the complete docket online, the commission dedicated significant time and attention to a thorough review of the permit application within the one-year parameter set by the South Dakota Legislature. By law, the commission had until Dec. 15, 2015 to complete the docket. A permit was issued Dec. 14, 2015.

Chairman Chris Nelson
South Dakota Public Utilities Commission
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