
**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

IN THE MATTER OF THE APPLICATION OF
DAKOTA ACCESS, LLC FOR AN ENERGY
FACILITY PERMIT TO CONSTRUCT THE
DAKOTA ACCESS PIPELINE

**YANKTON SIOUX TRIBE'S SECOND
INTERROGATORIES
AND REQUESTS FOR PRODUCTION
OF DOCUMENTS TO DAKOTA
ACCESS, LLC**

HP14-002

Answering Dakota Rural Action's First Interrogatories to Dakota Access, LLC, Dakota Access, LCC states and alleges as follows:

INTERROGATORIES

INTERROGATORY NO. 43:

State the name, current address, and telephone number of the person answering these interrogatories.

ANSWER:

Joey Mahmoud
Vice President - Engineering
1300 Main Street
Houston, TX 77002

Chuck Frey
Vice President - Engineering
1300 Main Street
Houston, TX 77002

Keegan Pieper
Associate General Counsel
1300 Main Street
Houston, TX 77002

Monica Howard
Director – Environmental Science
1300 Main Street
Houston, TX 77002
Jack Edwards
Project Manager
11103 Aurora Ave.

YST____

Urbandale, IA 50322

Damon Daniels
Vice President – Commercial Operations
1300 Main Street
Houston, TX 77002

Micah Rorie
Senior Manager – ROW
1300 Main Street
Houston, TX 77002

Jennifer Fontenot
Senior Manager – Business Development
One Flour Daniel Drive
Sugar Land, TX 77478

Chad Arey
Senior Manager – Integration
1820 Highway 80 West
Longview, TX 75604

Chris Srubar
Associate Engineer
1300 Main Street
Houston, TX 77002

Stephen Veatch
Senior Director – Certificates
1300 Main Street
Houston, TX 77002

Todd Stamm
Vice President – Pipeline Operations
One Flour Daniel Drive
Sugar Land, TX 77478

INTERROGATORY NO. 44:

State the name, current address, and telephone number of any person, other than legal counsel, who Dakota Access talked with about answering these interrogatories, who assisted Dakota Access in answering these interrogatories, or who provided information that Dakota Access relied on in answering these interrogatories.

ANSWER: See the response to INTERROGATORY NO. 43.

INTERROGATORY NO. 45:

What is the legal relationship between Dakota Access and Energy Transfer Partners, L.P. (ETP)?

ANSWER: Dakota Access Holdings, LLC is owned 100 percent by Energy Transfer Partners, L.P. (“ETP”), a master limited partnership publicly traded on the New York Stock Exchange (“NYSE”). Energy Transfer Equity, L.P. (“ETE”), also a master limited partnership publicly traded on the NYSE, indirectly owns the general partner of ETP and certain of that partnership’s limited partner units. ETP owns the general partner of Sunoco Logistics Partners, L.P. (“SXL”) and certain of its limited partner units. (ETE and ETP are together referred to herein as “Energy Transfer”). Energy Transfer maintains its corporate headquarters at 3738 Oak Lawn Avenue, Dallas, Texas 75219.

INTERROGATORY NO. 46:

What is the legal relationship between Dakota Access and Energy Transfer Equity, L.P.?

ANSWER: Dakota Access Holdings, LLC is owned 100 percent by Energy Transfer Partners, L.P. (“ETP”), a master limited partnership publicly traded on the New York Stock Exchange (“NYSE”). Energy Transfer Equity, L.P. (“ETE”), also a master limited partnership publicly traded on the NYSE, indirectly owns the general partner of ETP and certain of that partnership’s limited partner units. ETP owns the general partner of Sunoco Logistics Partners, L.P. (“SXL”) and certain of its limited partner units. (ETE and ETP are together referred to herein as “Energy Transfer”). Energy Transfer maintains its corporate headquarters at 3738 Oak Lawn Avenue, Dallas, Texas 75219.

INTERROGATORY NO. 47:

What is the relationship between the Dakota Access pipeline and the Energy Transfer Crude Oil (ETCO) pipeline?

ANSWER: Objection. The question is vague.

INTERROGATORY NO. 48:

- A. What is the status of construction and/or conversion and/or operation of the ETCO pipeline?
- B. If this pipeline is not already operational, when is the expected date of operation?

ANSWER: Objection. The requested information is not relevant to the proposed Dakota Access pipeline.

INTERROGATORY NO. 49:

- A. Does Dakota Access own or operate any crude oil pipelines that are currently operational?
- B. If so, please identify these pipelines.
- C. Has Dakota Access ever owned or operated any crude oil pipelines in the past?
- D. If so, please identify these pipelines and the reasons they are no longer owned or operated by Dakota Access.
- E. Please identify any non-crude oil pipelines owned or operated by Dakota Access and the product transported by said pipelines,

ANSWER: None.

INTERROGATORY NO. 50:

- A. Does ETP own or operate any crude oil pipelines that are currently operational?
- B. If so, please identify these pipelines.
- C. Has ETP ever owned or operated any crude oil pipelines in the past?
- D. If so, please identify these pipelines and the reasons they are no longer owned or operated by ETP.
- E. Please identify any non-crude oil pipelines owned or operated by ETP and the product transported by said pipelines.

ANSWER: ETP and ETP affiliates operate and have ownership interest in 5,848 miles of crude oil pipeline. ETP owns and operates the Rio Bravo pipeline. In addition to the ETP crude oil pipeline, the Sunoco Logistics Crude Oil Pipeline System contains approximately 5,800 miles of crude oil trunk and gathering pipelines. The Sunoco Logistics Crude Oil Pipeline System includes the West Texas Gulf Pipe Line Company ("West Texas Gulf"), a wholly-owned subsidiary containing approximately 600 miles of crude pipelines, a controlling financial interest in Mid-Valley Pipeline Company ("Mid-Valley") containing approximately 1,000 miles of pipeline, and an equity interest in SunVit Pipeline LLC ("SunVit"). In addition, SXL owns a 37 percent undivided interest in the approximately 100-mile Mesa Pipe Line.

INTERROGATORY NO. 51:

Are there any potential points of destination along the proposed pipeline route before it reaches the terminus at Patoka, Illinois? If so, please identify the facility and location of each potential point of destination.

ANSWER: Objection. Calls for speculation.

INTERROGATORY NO. 52:

What is the final destination for the product transported by the proposed pipeline at which the product will be refined?

ANSWER: Objection. Calls for speculation. The applicable transports the product; it is not the party determining to which refineries in particular such product is ultimately transported.

INTERROGATORY NO. 53:

What will the product transported by the proposed pipeline be used for at the consumer consumption level?

ANSWER: Objection. Calls for speculation, the applicant transports the product.

INTERROGATORY NO. 54:

- A. When Dakota Access does apply for water use or discharge permits within the State of South Dakota, from which agency or agencies do you anticipate applying?
- B. What water sources in South Dakota does Dakota Access intend to use for the proposed project?
- C. How much water does Dakota Access anticipate the proposed project will require from water sources in South Dakota?
- D. How does Dakota Access intend to dispose of waste water or other discharged water resulting from the proposed project in the State of South Dakota?
- E. What byproducts, chemicals, or other substances will be contained in waste water or other discharged water resulting from the proposed project?

ANSWER:

A) Applicable water appropriation and discharge permits will be sought from the South Dakota Department of Environment and Natural Resources. We anticipate submitting applications in the third quarter of 2015.

B) Water sources to be utilized for the project have not been determined.

C) The volume and sources of test water are still being investigated. It is not known if the all of the water for testing needs in South Dakota will be sourced from South Dakota. Some volumes may be "pushed" from one test segment to another in lieu of discharging and filling each test section. Additionally, test sections cross state lines, and the source for that segment may originate at either end, or be pushed from a test segment on either side.

D) As stated in the December 2014 PUC Application, two types of discharges will occur during Project construction; hydrostatic testing and trench dewatering. Typically water is discharged to vegetated upland areas through appropriate energy dissipating devices and/or discharge structures and monitored. All discharges will be done in accords with applicable permit conditions.

E) No byproducts or chemicals will be contained in the discharge water.

INTERROGATORY NO. 55:

When does Dakota Access expect to hire or retain contractors for construction of the proposed project?

ANSWER: The date has not been determined.

INTERROGATORY NO. 56:

When does Dakota Access expect to begin construction in South Dakota if a permit is granted by the PUC?

ANSWER: 1st Quarter 2016.

INTERROGATORY NO. 57:

- A. Why has Dakota Access not yet completed cultural surveys of the entirety of the proposed route?
- B. When does Dakota Access anticipate surveying the land along the proposed pipeline route that has not yet been surveyed?
- C. Please identify the location(s) of land along the proposed pipeline route that has not yet been surveyed.

ANSWER:

- A. To date, inventory surveys have been completed across all land tracts where access was voluntarily granted by individual landowners, which constitutes 97.3% of the route and 100% of the areas requiring surveys based on the probability model submitted to the SHPO in August of 2014.**
- B. Dakota Access maintains a stand-by archaeological field crew that is responsible for conducting additional surveys as needed.**
- C. Tracts that are not 100% complete for cultural survey include 1.2 miles in Spink, 3.6 miles in Minnehaha, 0.4 miles in Turner, and 2.3 miles in Lincoln Counties.**

INTERROGATORY NO. 58:

What tools and/or training will be provided to inspectors and contractors to enable them identify an unanticipated discovery as such?

ANSWER: All inspectors and contractors will receive project specific training on the identification of cultural resources in the field and on the requirements of the unanticipated discovery plan for the Project prior to initiating work on the right-of-way. Contractors and Inspection staff will have stop work authority to cease operations in any given area if any potential resources are identified. Environmental inspection staff will receive additional training in the identification of cultural resources and will have direct access to Company environmental management and qualified archaeologists to confirm any finds and communicate with the respective agencies as detailed in the unanticipated discovery plan.

INTERROGATORY NO. 59:

- A. Is or has the U.S. Army Corps of Engineers or any other federal agency conducting or conducted an Environmental Assessment (EA) of the proposed project?
- B. If so, what is the status of the EA?

ANSWER: In South Dakota, a draft EA is under review by the US Fish and Wildlife Service for respective federal easements crossed South Dakota (please note this EA includes 5 easements in North Dakota).

INTERROGATORY NO. 60:

What goods and services, and in what quantities, will Dakota Access procure from local businesses in South Dakota in conjunction with construction of the proposed pipeline?

ANSWER: Objection. Calls for speculation and the question is overly broad and unduly burdensome.

INTERROGATORY NO. 61:

How is the share of Bakken oil production that Dakota Access plans to transport by pipeline currently being transported, and by whom?

ANSWER: Objection. The request is irrelevant.

INTERROGATORY NO. 62:

- A. In which towns in South Dakota and for what duration of time will construction workers for the proposed pipeline temporarily reside during the construction process?
- B. How many workers will be temporarily located in a particular town at a time?
- C. Have you identified lodging for these workers?
- D. If not, how do you know adequate lodging exists at these locations?

ANSWER:

- A. The temporary construction workers will typically exhaust all options available to meet their housing needs. The options include, but are not limited to, hotels or motels, rental properties, and trailer camp sites. The warehouse locations to be utilized for the Project are strategically placed for not only logistic efficiencies, but to take advantage of the local living accommodations for the workforce.**
- B. The temporary construction workers will typically exhaust all options available to meet their housing needs. The options include, but are not limited to, hotels or motels, rental properties, and trailer camp sites. The warehouse locations to be utilized for the Project are strategically placed for not only logistic efficiencies, but to take advantage of the local living accommodations for the workforce.**
- C. The temporary construction workers will typically exhaust all options available to meet their housing needs. The options include, but are not limited to, hotels or motels, rental properties, and trailer camp sites. The warehouse locations to be utilized for the Project are strategically placed for not only logistic efficiencies, but to take advantage of the local living accommodations for the workforce.**
- D. The temporary construction workers will typically exhaust all options available to meet their housing needs. The options include, but are not limited to, hotels or motels, rental properties, and trailer camp sites. The warehouse locations to be utilized for the Project are strategically placed for not only logistic efficiencies, but to take advantage of the local living accommodations for the workforce.**

REQUESTS FOR PRODUCTION OF DOCUMENTS

DOCUMENT REQUEST NO. 8:

Please provide a copy of any Environmental Assessment or Environmental Impact Statement prepared in anticipation of the proposed project. If only a draft of said document has been released, please provide a copy of the draft.

RESPONSE: See Yankton Sioux Tribe – Second Interrogatories – Document Request No. 8. Please note that this is a draft and subject to change.

DOCUMENT REQUEST NO. 9:

Please provide all interrogatories posed by each intervener to Dakota Access and all corresponding responses submitted by the respective intervener.

RESPONSE: Due to the volume of materials, a drop box link will be provided via e-mail.

DOCUMENT REQUEST NO. 10:

Please provide all requests for production of documents served by each intervener on Dakota Access and all corresponding responses submitted by the respective intervener.

RESPONSE: Due to the volume of materials, a drop box link will be provided via e-mail.

Dated this ____ day of June, 2015.

BY: _____

State of Texas)
)ss
County of Harris _____)

On this the ____ day of June, 2015, before me the undersigned officer, personally appeared Stephen Veatch, who acknowledged himself to be an authorized individual of Dakota Access, LLC, a corporation, and that he being authorized so to do, executed the foregoing name of the corporation by himself as Stephen Veatch.

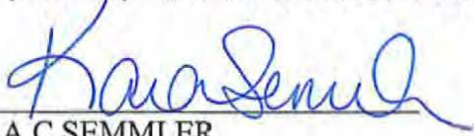
IN WITNESS WHEREOF I hereunto set my hand and official seal this ____ day of June, 2015.

(SEAL)

Notary Public
Notary Print Name:
My Commission Expires:

As to the objections, these interrogatory answers are signed by Kara C. Semmler this 22 day of June, 2015.


MAY, ADAM, GERDES & THOMPSON LLP

BY: 
KARA C SEMMLER
Attorneys for Dakota Access, LLC
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Pierre, SD 57501-0160
kcs@mayadam.net

CERTIFICATE OF SERVICE

Kara Semmler of May, Adam, Gerdes & Thompson LLP hereby certifies that on the 22 day of June, 2015, she mailed by United States mail, first class postage thereon prepaid, a true and correct copy of the foregoing in the above-captioned action to the following at her last known addresses, to-wit:

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KARA C. SEMMLER