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August 13, 2007

Writer's E-mail: koenecke@magt.com

RECEIVED

AUG 14 2007

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

Patty Van Gerpen
SD Public Utilities Commission
500 E. Capitol
Pierre, SD 57501

RE: TransCanada Pipeline
HP 07-001
Our File: 5057

Dear Patty:

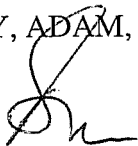
Enclosed please find for filing a letter received from the U.S. Fish & Wildlife Service with respect to the Keystone filing. As detailed in my earlier letter regarding the raptor reports, the Keystone team has continued to dialogue the confidentiality of the filing.

The Fish & Wildlife Service, as shown in Pete Gober's letter of August 2nd, has determined that the filing in its entirety now needs no further confidential designation. Accordingly, Keystone releases its claim of confidentiality made on behalf of the Fish & Wildlife Service as to the entirety of the filing, with respect to biological data and information.

Keystone continues to dialogue confidentiality with the state Office of Historical Preservation and will update you on that progress as it appears.

Very truly yours,

MAY, ADAM, GERDES & THOMPSON LLP



BRETT KOENECKE

BK:lar
Enclosure
Enc/cc: Jennifer Scott
Jim White



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
420 South Garfield Avenue, Suite 400
Pierre, South Dakota 57501-5408

August 2, 2007

Mr. Brett Koenecke
May, Adam, Gerdes & Thompson LLP
503 South Pierre Street
P.O. Box 160
Pierre, South Dakota 57501-0160

Re: Keystone Pipeline Project
File Number 5057

Dear Mr. Koenecke:

The U.S. Fish and Wildlife Service (Service) has received your letter dated July 30, 2007, which discusses the Keystone Pipeline Project and the need to keep various biological surveys confidential. The biological survey information was collected by entities of the Keystone Project.

The biological survey information attained by the project proponents and provided to the Service does not require confidentiality from our perspective. If we can be of further assistance, please do not hesitate to contact Scott Larson of this office at (605) 224-8693, Extension 232.

Sincerely,

Pete Gober
Field Supervisor
South Dakota Field Office

cc: FWS/ES; Grand Island, NE
(Attention: John Cochnar)