

## Grambihler, Anissa

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**From:** VanBockern, Kara  
**Sent:** Wednesday, June 06, 2007 5:24 PM  
**To:** Grambihler, Anissa  
**Subject:** FW: Complaint & Request For Hearing To Release TransCanada Documents Marked Confidential & NOT AVAILABLE

Please post on the web...thank you!  
Kara

-----Original Message-----

**From:** Rod Tobin [mailto:rtobin@sbslaw.net]  
**Sent:** Wednesday, June 06, 2007 3:30 PM  
**To:** VanBockern, Kara  
**Cc:** Curt Hohn  
**Subject:** Complaint & Request For Hearing To Release TransCanada Documents Marked Confidential & NOT AVAILABLE

Dear Ms. VanBocken:

I represent WEB Water Development Corporation. It is my understanding that WEB forwarded a complaint and request for hearing to your attention in the TransCanada matter. It is also my understanding that you cannot accept WEB's complaint in that it must come from their counsel. Please consider this correspondence as WEB's counsel's **complaint and request for a special hearing** before the Public Utilities Commission for the release of all documents and data filed by TransCanada with the PUC on behalf of the Keystone Pipeline Project. I have been authorized by Curt Hohn, WEB General Manager and Paul Fischbach, Chairman of the WEB Board of Directors to make this request on WEB's behalf. Notify me if you need any additional information in conjunction with the filing of this complaint and request for hearing. I would like immediate access to these documents, but in no event later than one week before the first hearing begins on June 25, 2007 at Yankton, SD.

Best regards,

Rodrick L. Tobin  
Siegel Barnett & Schutz, L.L.P.  
400 Capitol Building  
415 South Main Street  
P.O. Box 490  
Aberdeen, SD 57402-0490  
Telephone: 605-225-5420  
Facsimile: 605-226-1911  
E-mail: [rtobin@sbslaw.net](mailto:rtobin@sbslaw.net)

-----Original Message-----

**From:** Curt Hohn [mailto:chohn@webwater.org]  
**Sent:** Wednesday, June 06, 2007 2:06 PM  
**To:** Rod Tobin; Reed Rasmussen  
**Subject:** FW: Complaint & Request For Hearing To Release TransCanada Documents Marked Confidential & NOT AVAILABLE

Rod/Reed

I spoke with Ms. VanBockern today (6/6/07) she tells me that our attorney will need to file the complaint and request on WEB's behalf. Below is a suggested draft. Could one of you revise it as you see fit and sent it in for us to Kara with a copy to me for our files.

06/06/2007

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By now you should have received a **Application for Party Status** signed and notarized by **Reed Rasmussen of Siegel, Barnett & Schutz, LLP of Aberdeen, SD** on behalf of WEB Water Development Association. WEB General Manager Curt Hohn tells us that as WEB's legal counsel we will need to file a complaint on WEB's behalf and that it can be sent by email or fax with the original mailed.

Please this document on behalf of **WEB Water Development as a complaint and request for a special hearing** before the Public Utilities Commission to get all documents and data filed by TransCanada with the PUC on behalf of the Keystone Pipeline Project released. I have been authorized by Curt Hohn, WEB General Manager and Paul Fischbach, Chairman of the WEB Board of Directors to make this request on WEB's behalf. Please accept this as WEB Water Development's formal complaint and request for a hearing so that this matter can be resolved and the documents made available to the public, the taxpayers, landowners and other concerned parties. We would hope that these documents be available at least one week BEFORE the first hearing begins on June 25, 2007 at Yankton, SD.

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**From:** Curt Hohn  
**Sent:** Tuesday, June 05, 2007 8:14 PM  
**To:** 'kara.vanbockern@state.sd.us'  
**Cc:** Reed Rasmussen; rtobin@sbslaw.net; 'Patty.VanGerpen@state.sd.us'  
**Subject:** Complaint & Request For Hearing To Release TransCanada Documents Marked Confidential & NOT AVAILABLE

Kara VanBocken  
PUC - State Attorney

June 5, 2007

By now you should have received a **Application for Party Status** signed and notarized by WEB's legal counsel **Reed Rasmussen of Siegel, Barnett & Schutz, LLP of Aberdeen, SD**. It is my understanding that Mr. Rasmussen faxed and mailed the document to you on June 4, 2007. I have also mailed and faxed you a copy of those documents myself.

I assume that now you can **accept WEB Water Development's complaint and request for a special hearing** before the Public Utilities Commission to get the all documents and data filed by TransCanada with the PUC on behalf of the Keystone Pipeline Project released. I have been authorized by the WEB Board of Directors to make this request on WEB's behalf. Please accept this as WEB Water Development's formal complaint and request for a hearing so that this matter can be resolved and the documents made available to the public, the taxpayers, landowners and other concerned parties. It would seem only right and fair that these documents be available at least one week BEFORE the first hearing begins on June 25, 2007 at Yankton, SD.

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Curt Hohn, General Manager  
WEB Water Development Association, Inc.

06/06/2007

38462 US Highway 12  
PO Box 51  
Aberdeen, SD 57402-0051

Phone (605) 229-4749  
Mobile (605) 380-6832

We appreciate a written response from you or others at the PUC. If you have any question please call Reed Rasmussen or Rod Tobin at Siegel, Barnett & Schutz at (605) 225-5420 or by fax at (605) 226-1911 and me at the phone numbers listed above. I'm away from my desk when you call let the receptionist know you are with the PUC and ask her to page for me so I can get to phone and take your call.

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**From:** Curt Hohn  
**Sent:** Saturday, June 02, 2007 11:42 AM  
**To:** 'kara.vanbockern@state.sd.us'  
**Cc:** Curt Hohn; rtobin@sbslaw.net; Reed Rasmussen; 'Patty.VanGerpen@state.sd.us'  
**Subject:** TransCanada Docket Information - Marked Confidential - NOT AVAILABLE ?

Kara VanBockern  
PUC - Staff Attorney

June 2, 2007

Thank you for your letter of May 30, 2007 in response to my letter of May 21, 2007 to Dusty Johnson requesting copies of the information filed by TransCanada in support of their permit application docket for the construction of the Keystone Crude Oil Pipeline through South Dakota.

Your letter stated the following;

*"All documents you requested regarding the project can now be accessed at [www.puc.sd.gov](http://www.puc.sd.gov) under "Commission Actions", Commission Dockets, 2007 Hydrocarbon Pipeline, HP07-001".*

I went to the PUC website on Friday and opened the docket and found that most of the TransCanada documents are marked "**Confidential**" and cannot be opened.

I called the PUC office on Friday, June 1, 2007 and finding that you were gone, I spoke with a PUC staff person named Bob. He told me that the documents did appear to be blocked from public access and the only way to open the documents marked confidential may be to file a complaint and request a special hearing. He also told me he would pass along my message to you when you returned to work on Monday.

Please **call me at 605-229-4749 or 380-6832 on Monday, June 4, 2007** to explain why the documents you told me in your letter were available to review are in fact are not available to the public to examine and review before the PUC hearings on this matter being held June 25, 26 and 27.

If a request for a special hearing is need to get the documents released before the hearings, then please accept this as my formal complaint and request for a hearing so that this matter can be resolved and the documents made available to the public at least one week BEFORE the first hearing begins on June 25, 2007. If I'm away from my desk when you call let the receptionist know you are with the PUC and ask her to page for me so I can get to phone and take your call.

Thank you.

06/06/2007