

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

**IN THE MATTER OF THE APPLICATION BY )  
TRANSCANADA KEYSTONE PIPELINE, LP )  
FOR A PERMIT UNDER THE SOUTH )  
DAKOTA ENERGY CONVERSION AND )  
TRANSMISSION FACILITIES ACT TO )  
CONSTRUCT THE KEYSTONE PIPELINE )  
PROJECT )**

**SCHEDULING ORDER FOR  
DETERMINING  
CONFIDENTIALITY OF  
DOCUMENTS FILED  
CONFIDENTIAL**

**HP07-001**

On April 27, 2007, TransCanada Keystone Pipeline, LP (Keystone) filed a siting permit application for the South Dakota portion of the Keystone Pipeline Project (Project). The Project will transport crude oil starting in Hardisty, Alberta, Canada and ending in Patoka, Illinois. The proposed 30 inch diameter pipeline will have a nominal capacity of 435,000 barrels of oil per day (bpd) with a possible expansion to 591,000 bpd. The proposed route will enter South Dakota at the North Dakota/South Dakota border in Marshall County and extend in a southerly direction, exiting the state at the South Dakota/Nebraska border in Yankton County. The length of the pipeline in South Dakota will be approximately 220 miles and it will cross the counties of Marshall, Day, Clark, Beadle, Kingsbury, Miner, Hanson, McCook, Hutchinson and Yankton. The Project also includes four pump stations in South Dakota located in Day, Beadle, Miner and Hutchinson counties along with 15 mainline valves with an average spacing of 15 miles between valves.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-41B and ARSD Chapter 20:10:22.

On June 6, 2007, Commission Staff filed a Motion for Release of Information Filed Confidential requesting that documents filed by Keystone be declared as non-confidential and available for public access and service on parties who have requested service. On June 4 - 6, 2007, requests for access to confidential information and for hearing on the issue of confidentiality were filed in connection with Applications for Party Status by Paul Fishbach, Curt Hohn, Lillian Anderson, MMP, Inc., WEB Water Development Assn., and Merl Moeckly Co.

Pursuant to ARSD 20:10:01:43(2), the Commission hereby establishes and orders, as the procedural schedule for determining the justification for continued confidential treatment of documents filed by Keystone as confidential in this docket, that a hearing shall be held at 1:30 P.M. CDT on Tuesday, June 12, 2007, in Rm. 412 of the Capitol Building in Pierre, SD with telephonic participation permitted. Interested persons wishing to participate by telephone shall call the Commission at 1-800-332-1782 on or before 5:00 P.M on Monday, June 11, 2007 to be scheduled for the telephone bridge.

It is therefore

ORDERED, that a hearing shall be held at the time and place set forth above to determine whether documents filed by Keystone as confidential in this docket should be entitled to confidential treatment or be made available to the public.

Pursuant to the Americans with Disabilities Act, this hearing will be held in a physically accessible location. Please contact the Public Utilities Commission at 1-800-332-1782 at least 48 hours prior to the hearings if you have special needs so arrangements can be made to accommodate you.

Dated at Pierre, South Dakota, this 6th day of June, 2007.

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, electronically.

By: *[Signature]*

Date: June 6, 2007

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

*[Signature]*  
DUSTIN M. JOHNSON, Chairman

*[Signature]*  
GARY HANSON, Commissioner

*[Signature]*  
STEVE KOLBECK, Commissioner

