

**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)**

**ORDER ASSESSING)
FILING FEE)

HP14-002**

On December 15, 2014, the South Dakota Public Utilities Commission (Commission) received an energy facility permit Application from Dakota Access, LLC (Dakota Access) pursuant to SDCL 49-41B-4 to construct the South Dakota portion of the proposed Dakota Access Pipeline (Pipeline). The Pipeline will begin in North Dakota and terminate in Patoka, Illinois, traversing 13 counties in South Dakota. The proposed 12- to 30-inch diameter pipeline will have an initial capacity of 450,000 barrels of oil per day with a total potential of up to 570,000 barrels per day. The proposed route will enter South Dakota in Campbell County at the North Dakota/South Dakota border and will extend in a southeasterly direction, exiting the state at the South Dakota/Iowa border in Lincoln County. The length of the Pipeline through South Dakota is approximately 271.6 miles. The Pipeline also would include one pump station in South Dakota located in Spink County. Per SDCL 49-41B-24, the Commission has one year from the date of application to render a decision on the Application.

On December 18, 2014, the Commission electronically transmitted notice of the Application and the intervention deadline of February 13, 2015, to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv. The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-41B, specifically 49-41B-12 and 49-41B-26 and ARSD Chapter 20:10:22.

At its regularly scheduled meeting on December 23, 2014, the Commission considered this matter. The Commission's staff requested that the Commission assess a filing fee pursuant to SDCL 49-41B-12 of up to the statutory maximum of \$610,000 to defray the Commission's actual costs incurred in processing the Application, with an initial deposit of the statutory minimum fee of \$8,000. The Commission voted unanimously to assess a filing fee up to the statutory limit of \$610,000 for actual expenses incurred in processing this energy facility permit Application and with the minimum statutory fee of \$8,000 deposited with the Commission. It is therefore

ORDERED, that Dakota Access shall be assessed a filing fee not to exceed \$610,000 to reimburse actual expenses incurred by the Commission in the processing of the Application with an initial deposit of the \$8,000 minimum fee.

Dated at Pierre, South Dakota, this 30th day of December, 2014.

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: <u>[Signature]</u>
Date: <u>12.30.14</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

[Signature]
GARY HANSON, Chairman

[Signature]
CHRIS NELSON, Commissioner

[Signature]
KRISTIE FIEGEN, Commissioner