

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

<b>IN THE MATTER OF THE PETITION OF ) TRANSCANADA KEYSTONE PIPELINE, LP ) FOR ORDER ACCEPTING CERTIFICATION ) OF PERMIT ISSUED IN DOCKET HP09-001 ) TO CONSTRUCT THE KEYSTONE XL ) PIPELINE )</b>	<b>ORDER GRANTING IN PART MOTION TO AMEND PROCEDURAL SCHEDULE  HP14-001</b>
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On September 15, 2014, TransCanada Keystone Pipeline, LP (TransCanada) filed with the South Dakota Public Utilities Commission (Commission) a Petition for Order Accepting Certification under SDCL §49-41B-27 seeking an order accepting certification of the energy facility permit issued in Docket HP09-001 for construction of the Keystone XL Pipeline. On June 29, 2010, the Commission issued an Amended Final Decision and Order; Notice of Entry granting a permit to TransCanada for construction of the Keystone XL Pipeline. TransCanada now seeks an order accepting certification pursuant to SDCL 49-41B-27.

On September 18, 2014, the Commission electronically transmitted notice of the filing and the intervention deadline of October 15, 2014, to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv. Applications for Party Status were received from forty-three persons, and on November 4, 2014, the Commission issued an Order Granting Intervention and Party Status to forty-two of the applicants. Two parties have since been granted withdrawal of party status. On December 17, 2014, the Commission issued an Order Granting Motion to Define Issues and Setting Procedural Schedule (Order Setting Procedural Schedule).

On March 25, 2015, the Commission received a Motion to Amend Order Setting Procedural Schedule (Motion) from Rosebud Sioux Tribe (Rosebud). In its Motion, Rosebud requested that the Commission amend the procedural schedule in the Order Setting Procedural Schedule to delay the date set for pre-filed testimony. The Commission has jurisdiction in this matter pursuant to SDCL Chapters 49-41B, 1-26, and 15-6, as well as ARSD 20:10:01:22.04.

Pursuant to ARSD 20:10:01:22.02, the Commission found good cause existed to hear the Motion on less than ten days' notice, because the deadline for filing pre-filed testimony set forth in the Order is April 2, 2015, which is less than ten days from the date of the filing of the Motion, therefore, a hearing on ten days' notice would render at least a portion of the Motion moot. On March 26, 2015, the Commission issued an Order for and Notice of Motion Hearing on Less than Ten Days' Notice.

At its regularly scheduled meeting on March 31, 2015, the Commission considered the Motion. After hearing arguments from the parties, the Commission found that there was cause to amend the Order. The Commission then voted unanimously to adopt the following amended procedural schedule:

Pre-filed direct testimony filed and served by all parties other than Rosebud Sioux Tribe	April 2, 2015
Motions to compel filed and served	April 7, 2015
Pre-filed direct testimony filed and served by Rosebud Sioux Tribe	April 10, 2015
All outstanding pre-hearing motions heard	April 14, 2015
All discovery responses served as a result of Commission actions on motions to compel	April 17, 2015
Pre-filed rebuttal testimony filed and served	April 27, 2015
Evidentiary hearing	May 5-8, 2015

It is therefore

ORDERED, that the parties shall comply with the above amended procedural schedule. It is further

ORDERED, that Rosebud Sioux Tribe's Motion to Amend Order Setting Procedural Schedule is granted in part as set forth above. It is further

ORDERED, that testimony regarding new information acquired as a result of any motion to compel granted by the Commission shall be allowed to be included in rebuttal testimony.

Dated at Pierre, South Dakota, this 3rd day of April, 2015.

<b>CERTIFICATE OF SERVICE</b>
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 or by mail.
By: <u>[Signature]</u>
Date: <u>4/3/15</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

[Signature]  
CHRIS NELSON, Chairman

[Signature]  
KRISTIE FIEGEN, Commissioner

[Signature]  
GARY HANSON, Commissioner