

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

**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)**

**ORDER AMENDING
PROCEDURAL SCHEDULE**

HP14-001

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. The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-26 and 49-41B, specifically 49-41B-27, and ARSD Chapters 20:10:01 and 20:10:22.

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. Three 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 (Procedural Schedule) requiring parties to file pre-filed testimony by April 2, 2015. On April 3, 2015, the Commission issued an Order Granting in Part Motion to Amend Procedural Schedule, in which the Commission ordered that all pre-hearing motions would be heard on April 14, 2015. On April 10, 2015, the Commission issued an Order Granting Motion to Reconsider and Amending in Part Procedural Schedule to allow Rosebud Sioux Tribe until April 24, 2015, to file pre-filed expert witness testimony.

On April 24, 2015, the Commission received a Joint Motion for Continuance and Relief from Scheduling Order (Joint Motion) from Dakota Rural Action, Rosebud Sioux Tribe, Yankton Sioux Tribe, Bold Nebraska, the Cheyenne River Sioux Tribe, and the Standing Rock Sioux Tribe. The Joint Motion was heard and granted by the Commission on April 27, 2015, at which time the Commission advised that it would address an amended procedural schedule at the regularly scheduled Commission meeting on April 30, 2015.

On April 30, 2015, the Commission considered amending the Procedural Schedule. After taking comments from the parties, the Commission adopted the following amended procedural schedule:

Substantive Motions filed by May 26, 2015, responses due June 2, 2015, heard on June 11, 2015.

Rebuttal Testimony filed by June 26, 2015.

Witness and Exhibit Lists filed by July 7, 2015.

Motions *in Limine* filed by July 10, 2015.

Evidentiary Hearing July 27-31, August 3-4, 2015.

It is therefore

ORDERED, that the Procedural Schedule shall be amended as set forth above, with all filing deadlines being 5:00 p.m. CDT.

ORDERED, that responses to Motions *in Limine* are due no later than July 17, 2015.

ORDERED, Motions *in Limine* will be heard on July 21, 2015, in connection with the regularly scheduled Commission meeting.

Dated at Pierre, South Dakota, this 5th day of May, 2015.

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 or by mail.	
By:	<u>[Signature]</u>
Date:	<u>5/5/15</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

[Signature: Chris Nelson]
CHRIS NELSON, Chairman

[Signature: Kristie Fiegen]
KRISTIE FIEGEN, Commissioner

[Signature: Gary Hanson]
GARY HANSON, Commissioner