

**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 DENYING MOTION TO
AMEND ORDER SETTING
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.

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).

On March 27, 2015, the Commission received a Motion to Amend Order Setting Procedural Schedule (Motion) from Standing Rock Sioux Tribe (Standing Rock). In its Motion, Standing Rock requested that the Commission amend the procedural schedule to delay the dates set for close of discovery, pre-filed testimony, rebuttal testimony, filing of exhibits, and the evidentiary hearing. Standing Rock also requested that the Motion be heard on an expedited basis at the meeting of the Commission on March 31, 2015. 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.

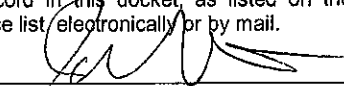
Pursuant to ARSD 20:10:01:22.02, the Commission found good cause existed to hear the Motion on less than ten days' notice, because the deadline for filing pre-filed testimony set forth in the Order is April 2, 2015, which is less than ten days from the date of the filing of the Motion, and a hearing on ten days' notice would therefore render at least a portion of the Motion moot. On March 27, 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 not good cause to amend the Order and establish the procedural schedule requested in the Motion.

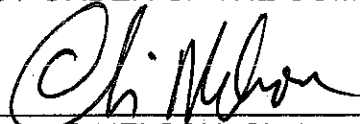
It is therefore

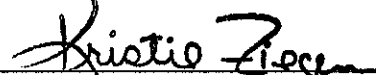
ORDERED, that Standing Rock Sioux Tribe's Motion to Amend Order Setting Procedural Schedule is denied.

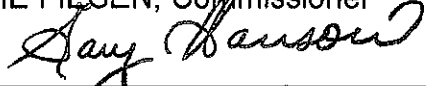
Dated at Pierre, South Dakota, this 2nd day of April, 2015.

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></u>
Date: <u>4/2/15</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:


CHRIS NELSON, Chairman


KRISTIE FIEGEN, Commissioner


GARY HANSON, Commissioner