

**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 SETTING POST- HEARING BRIEFING SCHEDULE AND DECISION DATE HP14-002
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On December 15, 2014, the South Dakota Public Utilities Commission (Commission) received an energy facility permit application (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 272.3 miles. The Pipeline also would include one pump station in South Dakota located in Spink County. Pursuant to SDCL 49-41B-24, the Commission has one year from the date of application to render a decision on the Application. Several parties have been granted intervention in this docket.

On January 8, 2015, Commissioner Fiegen filed a letter delivered to Governor Dennis Daugaard advising of a conflict of interest under SDCL 49-1-9 after learning of family ownership of land on the proposed Pipeline route. On January 14, 2015, Governor Daugaard filed a letter with Secretary of State Shantel Krebs appointing State Treasurer Rich Sattgast to serve as Acting Commissioner in place of Commissioner Fiegen pursuant to SDCL 49-1-9.

On August 20, 2015, the Commission issued an Order for and Notice of Evidentiary Hearing. The evidentiary hearing was held as scheduled, beginning on September 29, 2015 and ending on October 9, 2015. At the conclusion of the evidentiary hearing, a briefing schedule and decision date was set by the Commission. It is therefore

ORDERED, that initial post-hearing briefs shall be filed and served by all parties who wish to submit briefs no later than 5:00 p.m. on November 6, 2015. A party may also submit proposed findings of fact and conclusions of law with its initial brief; and it is further

ORDERED, that response briefs may only be submitted by parties who submitted initial briefs and who wish to respond to other parties' initial briefs. Response briefs shall be filed and served no later than 5:00 p.m. on November 20, 2015; and it is further

ORDERED, that the Commission shall make its decision on this docket on November 30, 2015, at 1:30 p.m., in Room 413 of the State Capitol Building, Pierre, South Dakota.

Dated at Pierre, South Dakota, this 21st day of October, 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: Kalayne West

Date: 10-21-15

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Chris Nelson

CHRIS NELSON, Chairman

Gary Hanson

GARY HANSON, Commissioner

Richard L. Sattgast

RICHARD L. SATTGAST, Acting Commissioner