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From: Curt Hohn [mailto:chohn@webwater.org]

Sent: Saturday, August 04, 2007 4:20 PM

To: Van Gerpen, Patty; Semmler, Kara

Cc: Rod Tobin

Subject: HP 07-001 List of SD Landowners Crossed by TransCanada-Keystone Pipeline

8/4/07

TO: Patricia Van Gerpen, Executive Director
Kara VanBockern, Staff Attorney

FR: Curt Hohn

RE: Request for Landowner List – HP 07-001 TransCanada-Keystone Pipeline

On May 29, 2007 the Public Utilities Commission received, as part of the permit application, a list of landowners whose property would be crossed by the TransCanada-Keystone Pipeline.

On June 12, 2007 requests were filed with the Public Utilities Commission by me and Lillian Anderson for a release of all information filed by TransCanada in support of their permit application, including the list of landowners along the proposed pipeline route, which is central to the application.

On June 26, 2007, the Public Utilities Commission discussed and considered the release of the landowner list but took no action, according to the transcript of the meeting.

As of August 3, 2007 the list of landowners remains “Confidential” and unavailable to the public.

Under the laws of the State of South Dakota, the public has a right of access to all documents and information pertinent to the consideration of a permit application before the Public Utilities Commission, including the list of names and addresses of landowners whose property will be impacted by the project, which in this case is the “site” of the proposed Keystone Pipeline route.

- 1. The list is central to the permit application. Without the list landowners and concerned citizens have no way of know what land is crossed and have no way communicating with each other to share information, share legal expense, and otherwise respond to a project that will most definitely impact their community. Why should landowners and the community have to take maps and go to each county courthouse and research files and look up information that is already on file and available.**
- 2. At least one version of the list was gathered with tax dollars and therefore is a public document and must be available to the residents and taxpayers of the state. The PUC staff called on the County Auditor or Register of Deeds of each county to assist the PUC in the research of landownership and to help prepare the list of names and addresses that were used by the PUC to mail notice of the public**

meetings held on June 25th-27th, 2007 to landowners along either side of the proposed pipeline route.

3. Those who have filed as parties in the hearing process, landowners, and concerned citizens have a right to a copy of the landowner list because it is a document in the HP 07-001 Docket file.
4. There is no good reason for keeping the list of landowners marked confidential, other than to restrict landowners and concerns citizens "right to know" and to make it difficult for landowners and those impacted by the project to communicate with one another. The list contains no historical cultural information, no personal information such as a social security number, and no sensitive environmental information. There is no reason to restrict access to the list.

As a party of record in the HP 07-001 docket, we again request that the landowner list be released to the public and that a copy of the list in printed format and data format in excel file or some other data format be provide to us.