



**ROSEBUD SIOUX TRIBE**

PO Box 430  
Rosebud, SD 57570  
Phone: 605.747.2381  
Fax: 605.747.2243  
Website: [rosebudsiouxtribe-nsn.gov](http://rosebudsiouxtribe-nsn.gov)

Cyril Scott, President  
Willie Kindle, Vice President  
Byron Wright, Treasurer  
Julia M. Peneaux, Secretary  
Glen Yellow Eagle, Sergeant-at-Arms

October 1<sup>st</sup>, 2014

Executive Director  
South Dakota Public Utilities Commission  
500 E. Capitol Ave.  
Pierre SD 57501-5070

**RECEIVED**  
**OCT 14 2014**  
**SOUTH DAKOTA PUBLIC**  
**UTILITIES COMMISSION**

Dear Sir,

**SUBJECT: IN THE MATTER OF THE PETITION OF TRANSCANADA KEYSTONE  
PIPELINE, LP FOR AN ORDER ACCEPTING CERTIFICATION OF PERMIT ISSUED IN  
DOCKET HP09-001 TO CONSTRUCT KEYSTONE XL PIPELINE**

Please find enclosed the application of the Rosebud Sioux Tribe for party status in the above-entitled matter.

If you have any further questions please contact either Rosebud Sioux Tribal President Cyril Scott or Eric Antoine, Attorney, Rosebud Sioux Tribe. Mr. Antoine's e-mail address is included on the application for party status.

Sincerely,

Cyril Scott, President  
Rosebud Sioux Tribe  
cc: Rosebud Sioux Tribal Council  
RST THPO Office  
RST SOLO Office  
RST Attorney General Office

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

Print

**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 )**

**APPLICATION FOR PARTY  
STATUS  
HP14-001**

Pursuant to SDCL 49-41B-17,

Rosebud Sioux Tribe, RST Tribal Historic Preservation Office & RST Sicangu Oyate Land Office

(Name of Applicant)

petitions the Public Utilities Commission to be granted party status in the above-referenced facility permit proceeding.

Briefly explain your interest in this permit proceeding. Form is limited to 1000 characters.

The Rosebud Sioux Tribe, a federally recognized Indian Tribe, has jurisdiction of trust and allotted lands within Tripp County, South Dakota. The United States Supreme Court in *Rosebud Sioux Tribe v. Kniep* stated "To the extent the members of the Rosebud Sioux Tribe are living on allotted land outside the Reservation, they, too are in "Indian Country" within the definition of 18 U.S.C. s 1151 and hence subject to federal provisions and protections." 430 US 584, 615, fn. 48 (1977). The Programmatic Agreement, part of the Final Environmental Impact Statement, ("EIS") mistakenly identifies Tripp County as within the Yankton Indian Reservation. The EIS is based upon legal and factual errors and does not comply with federal statutes, regulations, and court decisions.

Signature of Applicant

**Cyril Scott, President**

Print or Type Name

Address: **Rosebud Sioux Tribe**  
**PO Box 430 Rosebud SD 57570**

**(605)747-2381**

Phone Number

**cscott@gwtc.net;ejantoine@hotmail.com**

E-mail Address

**Rosebud Sioux Tribe**

Name of Organization (if applicable)

**October 1, 2014**

Date

Subscribed and sworn to before me this 1<sup>st</sup> day of October, 2014.

Notary Public

My Commission expires: 05-25-2017



**NOTE:**

The petition was filed Sept. 15, 2014. This Application for Party Status form must be filed in the Commission's offices on or before Oct. 15, 2014.

Executive Director  
South Dakota Public Utilities Commission  
500 E. Capitol Ave.  
Pierre, SD 57501-5070  
Electronic Filing: <http://puc.sd.gov/EFilingOptions.aspx>

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**000297**