

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

IN THE MATTER OF THE PETITION OF)	
TRANSCANADA KEYSTONE PIPELINE,)	Docket 14-001
LP FOR ORDER ACCEPTING)	
CERTIFICATION OF PERMIT ISSUED IN)	DAKOTA RURAL ACTION'S
DOCKET HP09-001 TO CONSTRUCT THE)	JOINDER OF YANKTON SIOUX
KEYSTONE XL PIPELINE)	TRIBE'S MOTION TO PRECLUDE
)	IMPROPER RELIEF
)	

Dakota Rural Action (“**DRA**”), by and through its Counsel, hereby joins the arguments, authority, and merits of the Yankton Sioux Tribe’s Motion to Preclude Improper Relief sought by TransCanada Keystone Pipeline LP (“**TransCanada**”), to wit, the amendment of findings of fact contained in the Amended Final Decision and Order issued in HP 09-001 on the grounds that such relief is improper and not permitted under SDCL §49-41B-27.

Particularly, DRA submits that the laws of South Dakota do not provide the Public Utilities Commission (“**PUC**”) with authority to amend its Amended Final Decision and Order, dated June 29, 2010 in HP 09-001, absent an application for rehearing or reconsideration, to conform to the findings proposed by TransCanada or otherwise conform to any changed circumstances.

Therefore, the amendments to the PUC’s Amended Final Decision and Order proposed by TransCanada must be rejected as outside the authority of the PUC on a recertification application pursuant to SDCL §49-41B-27.

However, DRA specifically notes that it does not join in the alternative relief requested by the Yankton Sioux Tribe for the same reason that the PUC has no authority to grant such relief on an application for recertification of a South Dakota hazardous pipeline construction permit.

Dated: June 2, 2015

Respectfully submitted,

/s/ Bruce Ellison

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