

Nebraska Public Service Commission

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July 6, 2017

CERTIFICATION

To Whom It May Concern:

I, Shanicee Knutson, Deputy Director of the Nebraska Public Service Commission, hereby certify that the enclosed is a true and correct copy of the original order made and entered in the proceeding docketed OP-0003 on the 6th day of July 2017. The original order is filed and recorded in the official records of the Commission.

Please direct any questions concerning this order to Nichole Mulcahy, Natural Gas Deputy Director, at 402-471-3101.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of the Nebraska Public Service Commission, Lincoln, Nebraska, this 6th day of July 2017.

Sincerely,

A handwritten signature in cursive script that reads "Shanicee Knutson".

Shanicee Knutson
Deputy Director

SK:rp

Enclosure

cc: Service Lists: U.S. Mail and Email



SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. OP-0003
of TransCanada Keystone Pipeline,)
L.P., Calgary, Alberta, seeking) ORDER GRANTING MOTION TO
approval for Route Approval of the) STRIKE
Keystone XL Pipeline Project)
Pursuant to the Major Oil Pipeline)
Siting Act.) Entered: July 6, 2017

BY THE HEARING OFFICER:

On February 16, 2017, TransCanada Keystone Pipeline, L.P., of Calgary, Alberta, ("TransCanada" or "Applicant") filed an Application with the Nebraska Public Service Commission ("Commission") seeking approval of a route for the Keystone XL Pipeline Project pursuant to the Major Oil Pipeline Siting Act, *Neb. Rev. Stat. §§ 57-1401 - 57-1413* ("Siting Act").

On March 31, 2017, the Hearing Officer entered an order regarding petitions for formal intervention in the above-captioned proceeding. Formal Intervention was granted to 95 landowners along the proposed route of the pipeline, all represented by The Domina Law Group PC LLO ("Domina" or "Landowner Intervenors").

On April 5, 2017, the Hearing Officer entered an order adopting a case management plan ("CMP").

On June 27, 2017, Landowner Intervenors filed a Second Amended Petition for Formal Intervention. The Motion does not seek to add additional formal intervenors to the proceeding, but contains various legal arguments outside of the question of intervention.

On June 30, 2017, Applicant filed a Motion to Strike and Objections to Landowners' Second Amended Petition of Formal Intervention.

The Landowner initial Petitions for Formal Intervention were timely filed and the petitions were granted by the Hearing Officer in the order issued on March 31, 2017. In paragraphs one and five of the Second Amended Petition, Landowner Intervenors admit the petitions have been granted. Domina now seeks to amend the previously successful intervention petitions with legal arguments that are unrelated to the Petitions for Formal Intervention. A Petition for Formal Intervention is not the proper vehicle upon which to raise such issues.

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Further, pursuant to the CMP, all parties, including Landowner Intervenors, will have the opportunity to make legal arguments on all relevant issues in the briefs due after the hearing.

Therefore, the Applicant's Motion to Strike is granted.

O R D E R

IT IS THEREFORE ORDERED by the Hearing Officer that the Motion to Strike Landowners' Second Amended Petition of Formal Intervention is hereby granted.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska this 6th day of July, 2017.

BY:



Tim Schram
HEARING OFFICER

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