

Nebraska Public Service Commission

COMMISSIONERS:

ROD JOHNSON
FRANK E. LANDIS
CRYSTAL RHOADES
MARY RIDDER
TIM SCHRAM

EXECUTIVE DIRECTOR:

MICHAEL G. HYBL



300 The Atrium, 1200 N Street, Lincoln, NE 68508

Post Office Box 94927, Lincoln, NE 68509-4927

Website: psc.nebraska.gov

Phone: (402) 471-3101

Fax: (402) 471-0254

NEBRASKA CONSUMER HOTLINE:

1-800-526-0017

August 25, 2017

CERTIFICATION

To Whom It May Concern:

I, Michael G. Hybl, Executive 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 4th day of August, 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 25th day of August, 2017.

Sincerely,

A handwritten signature in blue ink that reads "Michael G. Hybl".

Michael G. Hybl
Executive Director

MGH:da

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)
approval for Route Approval of the) ORDER SETTING BRIEFING
Keystone XL Pipeline Project) SCHEDULE
Pursuant to the Major Oil Pipeline)
Siting Act.) Entered: August 25, 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 April 5, 2017, the Hearing Officer entered an order adopting a case management plan ("CMP") and giving notice of the public hearing in the above-captioned docket.

Hearing in the above-captioned docket was held beginning on August 7, 2017.

The Transcript of the proceeding was officially completed and filed with the Commission on August 25, 2017.

Consistent with discussion with parties at the hearing, post-hearing briefs shall be due to the Commission no later than 5:00 p.m. CDT on September 15, 2017. Reply briefs shall be due no later than 5:00 p.m. CDT on September 25, 2017. Format and length of the briefs shall be in accordance with the Rules of the Nebraska Supreme Court, Chapter 2, Article 1, § 2-109. Additionally, no proposed orders or documents of proposed findings of facts and conclusions of law, separate and distinct from the party briefs are permitted.

The Commission is given 210 days, or seven (7) months, to enter a decision on an application to approve a route of a major oil pipeline under the Siting Act. However, the Siting Act does contain a provision to extend that time for just cause. The Siting Act requires that upon the issuance of a Presidential Permit authorizing the construction of the major oil pipeline seeking route approval in Nebraska, the Commission is not allowed any extension beyond eight (8) months of the date the permit issued.¹

¹ *Neb. Rev. Stat. § 57-1408(2)* (2016 Cum. Supp.).

The Presidential Permit for the Keystone XL Pipeline was issued on March 23, 2017. Therefore, due to the voluminous record and additional time requested by the parties for briefing, I find that just cause exists to extend the time for the Commission to enter a final order to November 23, 2017.

O R D E R

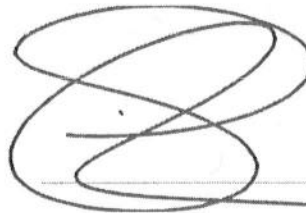
IT IS THEREFORE ORDERED by the Hearing Officer that post-hearing briefs shall be due to the Commission no later than 5:00 p.m. CDT on September 15, 2017, length and formatting to be consistent with the terms set forth herein.

IT IS FURTHER ORDERED that Reply briefs shall be due no later than 5:00 p.m. CDT on September 25, 2017, length and formatting to be consistent with the terms set forth herein.

IT IS FINALLY ORDERED that just cause exists and the time for a final order to be entered in the above-captioned docket is hereby extended to November 23, 2017, consistent with the terms of the Major Oil Pipeline Siting Act.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 25th day of August, 2017.

BY:

A handwritten signature in black ink, consisting of several overlapping loops and a horizontal line at the bottom, positioned above a horizontal line.

Judge Karen B. Flowers (ret.)
HEARING OFFICER

OP-0003 SERVICE LIST

James G Powers
McGrath, North etal.
First National Tower Ste 3700
1601 Dodge Street
Omaha, NE 68102
jpowers@mcgrathnorth.com

Patrick D Pepper
McGrath, North etal.
First National Tower Ste 3700
1601 Dodge Street
Omaha, NE 68102
ppepper@mcgrathnorth.com

Jayne Antony
16064 Sprint St
Omaha, NE 68130-2030
jayneeevan@yahoo.com

Jennifer S Baker
Fredericks Peebles and Morgan LLP
1900 Plaza Drive
Louisville, CO 80027
jbaker@ndnlaw.com

Wrexie Bardaglio
9748 Arden Road
Trumansburg, NY 14886
wrexie.bardaglio@gmail.com

Leverne A Barrett
1909 Co Rd E
Ceresco, NE 68017
Vernbarrett@fururetk.com

Mia Bergman
86424 514 Ave.
Orchard, NE 68764
mbergman85@hotmail.com

Ellen O Boardman
O'Donoghue & O'Donoghue LLP
4748 Wisconsin Avenue, NW
Washington, DC 20016
eboardman@odonoghuelaw.com

Anna Friedlander
O'Donoghue & O'Donoghue LLP
4748 Wisconsin Avenue, NW
Washington, DC 20016
afriedlander@odonoghuelaw.com

Robert O'Connor, Jr
O'Connor Law Firm
PO Box 45116
Omaha, NE 68145
reolaw@aol.com

James P Cavanaugh
Cavanaugh Law Firm, PC LLO
6035 Binney Street Ste 100
Omaha, NE 68104
cavanaughlawfirm@aol.com

Dara Illowsky
1650 38th Street Suite 102w
Boulder, CO 80301
dara.illowsky@sierraclub.org

Kimberly E Craven
33 King Canyon Road
Chadron, NE 69337
Kimecraven@gmail.com

Cathie (Kathryn) Genung
902 East 7th St
Hastings, NE 68901
tg64152@windstream.net

Louis (Tom) Genung
902 East 7th St
Hastings, NE 68901
tg64152@windstream.net

Andy Grier
916 S. 181st St.
Elkhorn, NE 68022
griec01@cox.net

OP-0003 SERVICE LIST

Christy J Hargesheimer
620 S 30th St
Lincoln, NE 68510
chrispaz@neb.rr.com

Richard S Hargesheimer
620 South 30th St
Lincoln, NE 68510
rshargy@gmail.com

Robert J Henry
Blake & Uhlig,PA
753 State Avenue Ste 475
Kansas City, KS 66101
rjh@blake-uhlig.com

Michael J Stapp
Blake & Uhlig,PA
753 State Avenue Ste 475
Kansas City, KS 66101
mjs@blake-uhlig.com

Michael E Amash
Blake & Uhlig,PA
753 State Avenue Ste 475
Kansas City, KS 66101
mea@blake-uhlig.com

Becky Hohnstein
PO Box 272
Minatare, NE 69356
jimhohnstein@gmail.com

Marvin E Hughes
714 W 5th St Ste 120
Hastings, NE 68901
bhughes@gtmc.net

John Jarecki
6112 Bedford Ave
Omaha, NE 68104
johnjarecki110@gmail.com

Karen Jarecki
6112 Bedford Ave
Omaha, NE 68104
tenbuckstwo@yahoo.com

Brad S Jolly
Brad S Jolly & Associates
15355 Gadsen Dr
Brighton, CO 80603
bsj@bsjlawfirm.com

Brian F Jorde
Domina Law Group PC LLO
2425 S 144th Street
Omaha, NE 68144-3267
bjorde@dominalaw.com

Dave Domina
Domina Law Group PC LLO
2425 S 144th Street
Omaha, NE 68144-3267
ddomina@dominalaw.com

Taylor R M Keen
5022 Hamilton St
Omaha, NE 68132-1448
taylorkeen7@gmail.com

Judy King
1261 Fall Creek Rd
Lincoln, NE 68510
kingjud@gmail.com

Michelle C LaMere
PO Box 514
Winnebago, NE 68071
iamere@rocketmail.com

Pamela Luger
8732 Granville Pkwy
LaVista, NE 68128
pam1181@yahoo.com

OP-0003 SERVICE LIST

Kendall Maxey
350.org
20 Jay Street
Brooklyn, NY 11201
kendall@350.org

Elizabeth (Liz) Mensinger
6509 Wirt St.
Omaha, NE 68104
lizmensingerg@gmail.com

Cindy Myers
PO Box 104
Stuart, NE 68780
csmyers77@hotmail.com

Crystal Miller
7794 Greenleaf Drive
LaVista, NE 68128
neccmiller@juno.com

Janece Mollhoff
2354 Euclid Street
Ashland, NE 68003
wjmollhoff@windstream.net

Greg Nelson
3700 Sumner St
Lincoln, NE 68506
gnelson@inetnebr.com

Julie Nichols
1995 Park Ave
Lincoln, NE 68502
willpower2@earthlink.net

Jana Osborn
1112 Meadowlark
Alliance, NE 69301
janajearyb@gmail.com

James Douglas Osborn
43110 879th Rd
Ainsworth, NE 69210
jdosborn30@yahoo.com

Christine Polson
4923 Valley St
Omaha, NE 68106
snpolson@cox.net

Dave Polson
4923 Valley Street
Omaha, NE 68106
honk@cox.net

Joseph Pomponio
551B Sand Creek Rd
Albany, NY 12205
lukaz@msn.com

Collin A Rees
4721 Heather Lane
Kearney, NE 68845
collin@priceofoil.org

Donna Roller
2000 Twin Ridge Rd.
Lincoln, NE 68506
rollerski@gmail.com

Cecilia Rossiter
949 N 30th St
Lincoln, NE 68503
punion@gmail.com

Corey Runmann
2718 S. 12th St.
Lincoln, NE 68502
rumannc@gmail.com

Lois Schreur
2544 N. 61st Street
PO Box 4376
Omaha, NE 68104
leschreur@centurylink.net

OP-0003 SERVICE LIST

Tristan Scorpio
208 S Burlington Ave Ste 103
Box 325
Hasting, NE 68901
linda@boldnebraska.org

Julie Shaffer
5405 Northern Hills Dr
Omaha, NE 68152
ksjaffer59@gmail.com

Sandra Slaymaker
102 E 3rd St #2
Atkinson, NE 68713
sandyslaymaker@gmail.com

Susan Soriente
1110 Rockhurst Drive
Lincoln, NE 68510
ssoriente@gmail.com

Lorne Stockman
Oil Change International
714 G St., SE Suite 202
Washington, DC 20003
lorne@priceofoil.org

Susan Straka-Heyden
46581 875th Rd
Stuart, NE 68780
suzie_sl@hotmail.com

Kimberly L Stuhr
19303 Buffalo Rd
Springfield, NE 68059
kimberlystuhr13@yahoo.com

Jacques Tallichet
2821 S. 79th St
Lincoln, NE 68506
jacques.tallichet@gmail.com

Paul Theobald
85718 544th Avenue
Foster, NE 68765
ptheobald36@gmail.com

Jonathan H Thomas
960 S Cotner Blvd
Lincoln, NE 68510
thewild_things@yahoo.com
Elizabeth L Troshynski
87769 484th Ave
Atkinson, NE 68713
btroshyn@hotmail.com

Christine Troshynski
101 S. 1st St.
Emmet, NE 68734
ctroshynski@gmail.com

Julie Walker
2570 West Luther St.
Martell, NE 68404
jw9095@yahoo.com

Susan C Watson
2035 N 28th St Apt 213
Lincoln, NE 68503
scwatson1965@gmail.com

Susan J Weber
2425 Folkways Blvd Apt 329
Lincoln, NE 68521
susanjweber4@yahoo.com

Douglas Whitmore
8856 N 83rd Ave
Omaha, NE 68122
douglas@whitmore4congress.com

Kenneth C Winston
1327 H St Ste 300
Lincoln, NE 68508
kwinston@inebraska.com

OP-0003 SERVICE LIST

Sandy Zdan
4817 Douglas
Omaha, NE 68132
sandywz@cox.net

National Association of Manufacturers
Ross Eisenberg
733 10th Street, NW, Ste. 700
Washington, DC 20001

Sarah Zuekerman
1729 K St #7
Lincoln, NE 68508
sarahj1182@gmail.com

Lisa May
1008 13th Avenue
Kearney, NE 68845

Consumer Energy Alliance
Michael Whatley
1666 K Street NW, Ste. 500
Washington, DC 20006

Ports to Plains Alliance
Michael Reeves
5401 N. MLK #395
Lubbock, TX 79403

South Dakota Oil & Gas Association
Adam Martin
PO Box 3224
Rapid City, SD 57709

Association of Oil Pipe Lines
Steven M. Kramer
900 17th Street, NW, Ste. 600
Washington, DC 20006

Nebraska Chamber of Commerce & Industry
Ronald J. Sedlacek
PO Box 95128
Lincoln, NE 68509

American Petroleum Institute
Judith Thorman
216 West Jackson Blvd., Ste. 915
Chicago, IL 60606

