

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

**IN THE MATTER OF STAFF'S REQUEST
FOR RELEASE TO LIBERTY MUTUAL
INSURANCE COMPANY A SEGMENT OF
PIPE INVOLVED IN A FEBRUARY 6, 2018,
INCIDENT**

**ORDER GRANTING
INTERVENTION; ORDER
AUTHORIZING DESTRUCTIVE
TESTING OF PIPE**

PS18-001

On September 7, 2018, the South Dakota Public Utilities Commission (Commission) received a letter from the Pipeline Safety Staff (Staff) requesting a section of pipe involved in a February 6, 2018, incident in Aberdeen, South Dakota, be released for destructive testing. SDCL § 49-34B-26 provides that Commission approval must be obtained prior to the destruction of a pipe involved in an incident. NorthWestern Corporation d/b/a NorthWestern Energy (NorthWestern) is the operator of the pipeline. Liberty Mutual Insurance Company (Liberty) desired to have the section of pipe involved in the incident be subjected to destructive testing by its expert. Staff has completed its incident investigation. On September 12, 2018, Staff filed numerous documents pertaining to the incident. On September 13, 2018, Materials Evaluation and Engineering, Inc.'s Protocol for Destructive Testing of the Gas Supply Pipe was filed. On September 13, 2018, the Commission electronically transmitted notice of the filing and the answer deadline of September 17, 2018, to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv. On September 14, 2018, NorthWestern filed its Response to Staff's Request. On September 18, 2018, this matter was came before the Commission and was deferred. On November 20, 2018, NorthWestern filed a Request to Destroy Pipe Involved in February 6, 2018 Incident.

The Commission has jurisdiction over this matter pursuant to SDCL Ch. 49-34B, specifically SDCL § 49-34B-26.

At its regularly scheduled meeting on November 27, 2018, the Commission discussed this matter. On its own motion, the Commission voted unanimously to grant NorthWestern intervention. The Commission further voted unanimously to approve NorthWestern's request for destructive testing of the pipe in question. It is therefore

ORDERED, that NorthWestern is hereby granted intervention. It is further

ORDERED, that NorthWestern's request for destructive testing of the pipe is hereby granted.

Dated at Pierre, South Dakota, this 29th day of November 2018.

| |
|---|
| CERTIFICATE OF SERVICE |
| The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, electronically or by mail. |
| By: <u>Adam deHuelk</u> |
| Date: <u>11/29/18</u> |
| (OFFICIAL SEAL) |

BY ORDER OF THE COMMISSION:

Kristie Fiegen

KRISTIE FIEGEN, Chairperson

Gary Hanson

GARY HANSON, Commissioner

Chris Nelson

CHRIS NELSON, Commissioner