

Berrisford SD  
2-17-17

Dear members of the SD P.U.C.

a ~~few~~ few days ago I sent you a letter regarding N.W. Energy Co. decision to cease service to most of the hundreds of farm owners, through which their Pipelines were built.

Since the easements were / are clearly valid, I urge you to rule that the farmsteads involved continue to receive the service ~~was~~ which HAS been provided - for generations.

You members of the P.U.C. have a fiduciary responsibility in this matter.

Your responsibilities include seeing to it that farm owners, in this case, are appealing to you to exercise your RESPONSIBILITY to everyone involved.

Some years ago I inquired of a Rural Electrification Company whether they would service my farm if the city government proceeded to incorporate my farm into the city limits. I was told that "yes" certainly we would, if the city turned off your service." (they were sure that the city fathers would NOT turn off the service.) (They backed off & they still give

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FEB 24 2017

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

Sincerely  
Russell Graham

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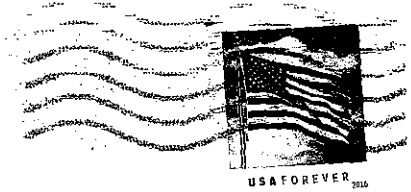
Russel Graham

[Redacted]

Bereford SD 57004

SIOUX FALLS SD 57105

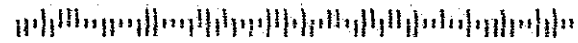
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S. D. Public Utilities Commission  
500 E. Capitol Ave.  
Pierre  
SD 57501

RE. SDPUC  
DOCKET NB 16-014

57501-500799





Kristie Fiegen, Chairperson  
Gary Hanson, Vice Chairperson  
Chris Nelson, Commissioner

*South Dakota*

**PUBLIC UTILITIES COMMISSION**

500 East Capitol Avenue  
Pierre, South Dakota 57501-5070  
[www.puc.sd.gov](http://www.puc.sd.gov)

Capitol Office  
(605) 773-3201

Grain Warehouse  
(605) 773-5280

Consumer Hotline  
1-800-332-1782

Email  
[puc@state.sd.us](mailto:puc@state.sd.us)

February 24, 2017

Russel Graham

[REDACTED]  
Beresford, SD 57004

Dear Mr. Graham:

This is in response to your second letter regarding the farm taps docket, NG16-014. I understand your concern about the possibility of losing your farm tap and natural gas supply.

You state in your letter, *"Since the easements were/are clearly valid, I urge you to rule that the farmsteads involved continue to receive the service which has been provided for generations."*

I would very much like to rule that your natural gas service continue. However, the commission's legal authority is provided by laws acted on by the state legislature. It is important that the commission stay within the boundaries of both federal and state law when considering and ruling on any docket before it. To act outside of the law would not only be irresponsible, but would waste critical time and money.

The PUC is not involved in the easement acquisition process that occurs between a utility or company and a landowner. Therefore, the PUC cannot rule over the easement contract on your behalf.

Your easement is a contract between two parties – you as the landowner and Northern. It does not include the state as a party. That contract is a matter that must be handled in the circuit court system. Therefore, I suggest you seek advice from your personal attorney.

All action by the commissioners on this docket must take place during open, noticed meetings. PUC staff members have stated in these meetings that they have met with representatives of Northern and NorthWestern Energy, and likely continue having discussions with those company representatives. You may learn more by communicating directly with a PUC staff analyst or attorney working on the docket. To do so, call 1-800-332-1782 or 605-773-3201 or email [PUC@state.sd.us](mailto:PUC@state.sd.us).

Your letter and my response will be posted under Comments and Responses in the docket online.

Sincerely,

Kristie Fiegen

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