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MAY 4 1992

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION FOR APPROVAL OF INITIAL RATES AND TARIFFS FOR SOUTH DAKOTA INTRASTATE PIPELINE COMPANY

PETITION TO INTERVENE

(Docket NG92-005)

COMES NOW Northwestern Public Service Company ("NWPS") to petition to intervene as a party in this matter, pursuant to ARSD 20:10:01:15.02 and 20:10:01:15.03. The facts which support NWPS' interest in this matter are as follows:

- South Dakota Intrastate Pipeline Company ("SDIPC") has filed an application with the Commission for approval of initial rates and tariffs for natural gas to be transported and sold from its proposed pipeline, for which siting authority has been requested in Docket No. NG92-002.
- 2. Such initial rates, if approved, would apply to sales by SDIPC to a gas distributor in the City of Pierre, as well as other communities and rural customers along the proposed pipeline.
- 3. NWPS is, at the present time, involved with Northern Natural Gas Company in gas line construction projects to bring natural gas to several South Dakota communities and rural customers near such communities.
- 4. NWPS has studied and continues to study the feasibility of constructing a gas pipeline to the City of Pierre and a gas distribution system in the City of Pierre.
- 5. Because of its interest as a potential gas supplier to and/or in the City of Pierre, NWPS has an interest in this matter and in the evidence to be presented at any hearings to be held in this matter.

WHEREFORE, NWPS requests that it be allowed to intervene and participate as a party in this matter, or in the alternative, that it be allowed to intervene, pursuant to SDCL 49-34A-13.1, without party status for the purpose of representing its interests in this matter.

Dated this 1st day of May, 1992.

NORTHWESTERN RUBLIC SERVICE COMPANY By

Vice President - Legal & Corporate Secretary

The undersigned attorney for Northwestern Public Service Company hereby certifies that he has this day deposited in the United States Postal Service mail, postage prepaid, a true and correct copy of the foregoing Petition to Intervene of Northwestern Public Service Company addressed to the following:

> Mr. James C. Robbenolt Attorney at Law P. O. Box 66 Pierre, SD 57501

Mr. James E. Carlon Attorney at Law P. O. Box 249 Pierre, SD 57501

Mr. Doug E. Eidahl Assistant Attorney General S. D. Public Utilities Commission 500 E Capitol Pierre, SD 57501

Dated this 1st day of May, 1992, at Huron, South

Dakota.

NORTHWESTERN PUBLIC SERVICE COMPANY Βv Its Attorney

BEFORE THE PUBLIC UTILITIES COMMISSION OUTH DAKOTA PUBLIC UTILITIES COMMISSION UTILITIES COMMISSION

In the Matter of the Application of the South Dakota Intrastate Pipeline Company for Approval of Initial Rates and Tariffs

Case No. NG92-005

RECEIVED

PETITION TO INTERVENE OF MONTANA-DAKOTA UTILITIES CO.

Montana-Dakota Utilities Co. (Montana-Dakota), a Division of MDU Resources Group, Inc., pursuant to S.D.C.L. Sections 1-26-17.1 and 49-34A-11 and A.R.S.D. 20:10:01:15.02, hereby petitions to intervene in the above-captioned proceeding. In support of its Petition, Montana-Dakota respectfully shows the following:

Ι.

Names, titles, and mailing addresses of persons who should be served with communications concerning this Petition are:

> C. Wayne Fox, Vice President -Regulatory Affairs & General Services Montana-Dakota Utilities Co. 400 North Fourth Street Bismarck, North Dakota 58501 (701) 222-7900

and

Douglas W. Schulz Senior Attorney Montana-Dakota Utilities Co. 400 North Fourth Street Bismarck, North Dakota 58501 (701) 222-7900

II.

Montana-Dakota is a Division of MDU Resources Group, Inc., a corporation organized and existing under the laws of the state of support of its interests as they may appear in any hearing scheduled by the Commission.

Respectfully submitted,

MONTANA-DAKOTA UTILITIES CO., a Division of MDU Resources Group, Inc. 400 North Fourth Street Bismarck, North Dakota 58501

By:

C. Wayne Fox Vice President - Regulatory Affairs & General Services

Dated: May _____, 1992

Douglas W. Schulz Senior Attorney Montana-Dakota Utilities Co. 400 North Fourth Street Bismarck, North Dakota 58501

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I hereby certify that on this day I have served the Petition to Intervene of Montana-Dakota Utilities Co. in Case No. NG92-005 upon:

Walter J. Woods Vice President South Dakota Intrastate Pipeline Company 117 East Capitol P.O. Box 66 Pierre, South Dakota 57501

James Robbennolt Olinger, Lovald, Robbennolt & McCahren, P.C. 117 East Capitol P.O. Box 66 Pierre, South Dakota 57501 Alan Dietrich Vice President - Legal and Corporate Secretary Northwestern Public Service Company Third Street & Dakota Avenue South P.O. Box 1318 Huron, South Dakota 57350

Dated at Bismarck, North Dakota, this 19^{+h} day of May, 1992.

C. Wayne Fox

Vice President Regulatory Affairs & General Services

cc: Marshall Damgaard Executive Director South Dakota Public Utilities Commission

NG92-005

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JUN 4 1992 SOUTH DAKOTA PUT, UTILITIES COMMUN.

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE APPLICATION)	Docket No. NG92-005
OF THE SOUTH DAKOTA INTRASTATE)	FETITION OF SOUTH DAKOTA
PIPELINE COMPANY FOR APPROVAL OF)	RURAL ELECTRIC
INITIAL RATES AND TARIFFS.	ASSOCIATION TO INTERVENE

COMES NOW the South Dakota Rural Electric Association (SDREA), by and through its undersigned attorney, Brian B. Meyer, of Meyer & Rogers, P. O. Box 89, Onida, South Dakota 57564, and petitions the South Dakota Public Utilities Commission (Commission) for authority (pursuant to ARSD 20:10:01 and SDCL 1-26-17.1) to intervene in the above-entitled docket, for the following reasons:

1. SDREA is an association whose members consist of thirty-three distribution cooperatives providing electric service in South Dakota, and three generation and transmission cooperatives. The proposed pipeline will pass through, and according to the application, either provide gas service or potentially provide gas service for customers located within SDREA member service areas.

2. SDREA member companies have constructed facilities for the generation, transmission and distribution of electric energy throughout the area in which the gas facility will be constructed. SDREA and its member systems have not been able to determine the impact the natural gas facilities will have upon the SDREA service areas.

3. A review of the rate filing application discloses that the South Dakota Intrastate Pipeline (SDIP) project intends to include an "ownership fee" as part of the rate. SDREA is concerned that the rates to be charged to gas customers may unfairly impact current electric users through an arrangement which effectively subsidizes certain customers at the expense of other customers.

4. The owners of SDIP represent that the gas will be available for sale anywhere along the pipeline route. Sales of gas to SDREA member susscribers along the route will directly and immediately affect the pecuniary interests of SDREA member systems.

DATED this third day of June, 1992.

Brian B. Meyer MEYER & ROGERS P. O. Box 89 Onida, South Dakota 57564 Attorney for SDRFA

The undersigned hereby certifies that he served a copy of the attached PETITION TO INTERVENE upon the persons herein next designated, on the date below shown, by depositing a copy thereof in the United States mail at Onida, South Dakota, postage prepaid, in an envelope addressed to each said addressee, to-wit:

> Walter J. Woods SOUTH DAKOTA INTRASTATE PIPELINE CO. P. O. Box 66 Pierre, South Dakota 57501-0066

Alan Dietrich NORTHWESTERN PUBLIC SERVICE P. O. Box 1318 Huron, South Dakota 57350-1318

Douglas W. Schulz MONTANA-DAKOTA UTILITIES CO. 400 N. 4th St. Bismarck, North Dakota 58501-4092

James Robbennolt OLINGER, LOVALD, ROBBENNOLT & MCCAHREN P. O. Box 66 Pierre, South Dakota 57501-0066

C. Wayne Fox MONTANA-DAKOTA UTILITIES CO. 400 N. 4th St. Bismarck, North Dakota 58501-4092

Dated this third day of June, 1992.

Brian B. Meyer MEYER & ROGERS P. O. Box 89 Onida, South Dakota 57564 Attorney for SDREA

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JUN 4 1992

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

SOUTH DAKOTA PUTLIC UTILITIES COMMILLION

IN THE MATTER OF THE APPLICATION)Docket No. NG92-005OF THE SOUTH DAKOTA INTRASTATE)PETITION OF SOUTH DAKOTAPIPELINE COMPANY FOR APPROVAL OF)RURAL ELECTRICINITIAL RATES AND TARIFFS.ASSOCIATION TO INTERVENE

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1. SDREA is an association whose members consist of thirty-three distribution cooperatives providing electric service in South Dakota, and three generation and transmission cooperatives. The proposed pipeline will pass through, and according to the application, either provide gas service or potentially provide gas service for customers located within SDREA member service areas.

2. SDREA member companies have constructed facilities for the generation, transmission and distribution of electric energy throughout the area in which the gas facility will be constructed. SDREA and its member systems have not been able to determine the impact the natural gas facilities will have upon the SDREA service areas.

3. A review of the rate filing application discloses that the South Dakota Intrastate Pipeline (SDIP) project intends to include an "ownership fee" as part of the rate. SDREA is concerned that the rates to be charged to gas customers may unfairly impact current electric users through an arrangement which effectively subsidizes certain customers at the expense of other customers.

4. The owners of SDIP represent that the gas will be available for sale anywhere along the pipeline route. Sales of gas to SDREA member susscribers along the route will directly and immediately affect the pecuniary interests of SDREA member systems.

DATED this ______ day of June, 1992.

Mues Brian B. Meyer

MEYER & ROGERS P. O. Box 89 Onida, South Dakota 57564 Attorney for SDREA

The undersigned hereby certifies that he served a copy of the attached PETITION TO INTERVENE upon the persons herein next designated, on the date below shown, by depositing a copy thereof in the United States mail at Onida, South Dakota, postage prepaid, in an envelope addressed to each said addressee, to-wit:

> Walter J. Woods SOUTH DAKOTA INTRASTATE PIPELINE CO. P. O. Box 66 Pierre, South Dakota 57501-0066

Alan Dietrich NORTHWESTERN PUBLIC SERVICE P. O. Box 1318 Huron, South Dakota 57350-1318

Douglas W. Schulz MONTANA-DAKOTA UTILITIES CO. 400 N. 4th St. Bismarck, North Dakota 58501-4092

James Robbennolt OLINGER, LOVALD, ROBBENNOLT & MCCAHREN P. O. Box 66 Pierre, South Dakota 57501-0066

C. Wayne Fox MONTANA-DAKOTA UTILITIES CO. 400 N. 4th St. Bismarck, North Dakota 58501-4092

Dated this third day of June, 1992.

Brian B. Meyer

MEYER & ROGERS P. O. Box 89 Onida, South Dakota 57564 Attorney for SDREA

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

UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION OF) THE SOUTH DAKOTA INTRASTATE PIPELINE) COMPANY FOR APPROVAL OF INITIAL RATES) AND TARIFFS.)

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PETITION TO INTERVENE BY CITY OF PIERRE, SOUTH DAKOTA (Docket NG92-005)

COMES NOW the City of Pierre, South Dakota (Pierre) and petitions to intervene as a party in this matter pursuant to ARSD 20:10:01:15.02 and 20:10:01:15.03. The facts supporting Pierre's interest as party in this matter are as follows:

> 1. South Dakota Intrastate Pipeline Company has filed an Application for the construction of a pipeline in central South Dakota to provide natural gas service to several communities described therein. The citing case for this application is Docket NG92-005. Pierre is the anchor of the proposed pipeline involved in that case. It is believed to be common knowledge that without service to Pierre the proposed pipeline will not be constructed or operated. Pursuant to notice received, Pierre has applied for party status in the citing case.

> 2. Pierre is anxious to explore and obtain quality natural gas service to its residents at a reasonable cost therefor. In fact if economically feasible, Pierre has tentative plans to itself provide the sale and distribution of natural gas as a municipal utility to its residents. This of course is completely dependent upon construction of the pipeline involved and the ability of Pierre to obtain natural gas therefrom at a reasonable and competitive cost.

> 3. The price of natural gas to the residents of Pierre is important for competitive reasons with other fuel costs whether or not Pierre is the distributor thereof. The importance of the potential customers in Pierre is clear by reason of the fact that it is believed there are more potential customers in Pierre than there are all

together along the remaining length of the proposed pipeline.

This application is a late filing because Pierre was not aware of the deadline for filing to intervene and received no notice or other communication of the time required for filing. Pierre did receive notice and timely applied in the citing case and because of Pierre's unfamiliarity with the Public Utilities Commission proceedings and rules, did not realize a separate application for intervention was required to be timely made in this proceeding. Pierre requests the Public Utilities Commission to waive its deadline for application to intervene and grant Pierre's request therefor.

WHEREFORE, Pierre requests that it be allowed to intervene and participate as a party in this matter, or in the alternative that it be allowed to intervene without party status for the purpose of representing its interest herein.

DATED this 25th day of June, 1992.

CITY OF PIERRE, SOUTH DAKOTA

Jarry I Whenen

The undersigned attorney for City of Pierre, South Dakota, hereby certified that on the 25th day of June, 1992, he mailed by first class mail postage prepaid, true and correct copy of the foregoing Petition to Intervene by City of Pierre, South Dakota to the following:

James Robbennolt Olinger, Lovald, Robbennolt & McCahren P.O. Box 66 Pierre, SD 57501

C. Wayne Fox Montana-Dakota Utilities Co. 400 N. 4th Street Bismarck, ND 58501-4092

Brian Meyer Attorney at Law P.O. Box 89 Onida, SD 57564-0089 Attorney for SDREA

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Alan Dietrich Northwestern Public Service P.O. Box 1318 Huron, SD 57350-1318

E. D. Mayer City Attorney 319 S. Coteau - P.O. Box 280 Pierre, SD 57501-0280 (605) 224-5825