OLINGER, LOVALD, ROBBENNOLT & McCAHREN, POLICE POLICE LAW OFFICES

117 EAST CAPITOL

P.O. BOX 66

PIERRE, SOUTH DAKOTA 57501-0066

RONALD D. OLINGER JOHN S. LOVALD JAMES ROBBENNOLT LEE, C. "<u>KIT" Mc</u>CAHREN DANIEL W. GRAVES

TELEPHONE 224-8851 AREA CODE 605 FAX 605-224-8269

March 8, 1993

Marshall Damgaard Public Utilities Commission 500 E. Capitol Pierre, SD 57501

SDIPC Motion to Clarify or Amend Order Granting Construction RE: Permit

Dear Mr. Damgaard:

Enclosed for filing please find the original and 12 copies of SDIPC's Motion to Clarify or Amend the Order Granting Construction Permit along with the original and copies of the Certificate of Service.

Sincerely,

DAN GRAVES

Attorney at Law

DG/jml

Enclosures

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

In the Matter of the Application)	
of the South Dakota Intrastate)	Docket NG92-002
Pipeline Company for a Permit to)	
Construct an 8.625 and 6.625 Inch)	CERTIFICATE OF SERVICE
O.D. Transmission Pipeline Facility)	
in Edmunds, Walworth, Potter, Sully)	
and Hughes Counties, South Dakota.)	

The undersigned hereby certifies that on the 10th day of March, 1993, he mailed a true and correct copy of the Motion to Clarify or Amend Order Granting Construction Permit to the following named persons at their last known post office addresses as follows:

Alan Dietrich Northwestern Public Service PO Box 1318 Huron, SD 57350-1318

James E. Carlon Attorney at Law PO Box 249 Pierre, SD 57501-0249

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

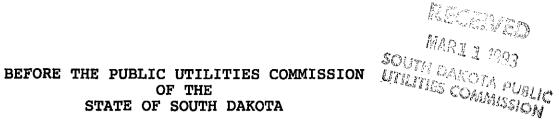
Brian Meyer Attorney for SDREA PO Box 89 Onida, SD 57564-0089

Eugene Mayer Riter, Mayer, Hofer & Riter PO Box 280 Pierre, SD 57501

and that said mailing was by US mail, first class with postage thereon prepaid and mailed at the US Post Office in Pierre, South Dakota.

DAN GRAVES

Attorney for South Dakota Intrastate
Pipeline Company
117 E. Capitol, PO Box 66
Pierre, SD 57501



In the Matter of the Application of the South Dakota Intrastate Pipeline Company for a Permit to Construct an 8.625 and 6.625 Inch O.D. Transmission Pipeline Facility) in Edmunds, Walworth, Potter, Sully) and Hughes Counties, South Dakota.)

Docket NG92-002

4-5

MOTION TO CLARIFY OR AMEND ORDER GRANTING CONSTRUCTION PERMIT

10:06

South Dakota Intrastate Pipeline Company, the Applicant above named, hereby moves the Public Utilities Commission for an Order clarifying or amending its Order Granting Construction Permit.

The purpose of this Motion is to clarify and/or amend Paragraph 18 in Appendix II of the Terms and Conditions for a Permit in Docket NG92-002 which is attached to and incorporated in the Order Granting Construction Permit. Clarification of this provision is necessary in order to more clearly define the actual depth at which the pipeline is to be buried within the various road ditches in compliance with Paragraph 13 of the Findings of Fact attached to and incorporated in the Order Granting Construction Permit.

Pursuant to Paragraph 13 of the Findings of Fact, the pipe should be buried a minimum depth of 36 inches wherever it lies. That is, that wherever within the ditch the pipe is situated, it will be covered with a minimum of 36 inches of cover. In other words, the depth of the pipe will be determined exactly from where the pipe is lying rather than some artificial measuring point such as the toe of the ditch slope.

As testimony in the hearing on SDIPC's Motion to Reopen Siting Application, any depth which the pipeline is buried beyond 36 inches will add additional and unnecessary cost to the construction of the pipeline, cost which will be ultimately passed on to natural gas

consumers.

In the alternative to the above referenced clarification, SDIPC hereby requests an Amended Order Granting Construction Permit indicating that the pipeline shall be buried a minimum of 36 inches, with such depth being measured from the specific area within the ditch in which the pipeline is buried.

DATED this 10th day of March, 1993, at Pierre, South Dakota.

Walter J. Woods

President and CEO

BEFORE THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF SOUTH DAKOTA

ION	E & En	LIVED	
	167 O C2		
$\mathcal{S} \subset \{j\}$	ree e	9 1993 TOTA PUBLIC	
UTIL	11.00 E	OTA PUBLIC	
•	es cc	MANISCHBLIC	
		.,, 3.31OM	

APPLICATION INTRASTATION PERMIT TO INCH O.D. TO FACILITY IN	TTER OF THE <u>AMENDED</u> ON OF THE SOUTH DAKOTA E PIPELINE COMPANY FOR A CONSTRUCT AN 8.625 AND 6.6 RANSMISSION PIPELINE N EDMUNDS, WALWORTH, LLY AND HUGHES COUNTIES	25)))	= - ::	FION FOR STATUS NG92-002)
Pursuant to SI	OCL 49-41B-17 and ARSD 20:10	22:40, <u>(</u>	1-ty of Sell	6 <u>,</u>
petitions the P	ublic Utilities Commission to be ç	ranted part	y status in the a	above
referenced trar	nsmission facility permit proceedi	ng.		
		Signature	L Wal of Applicant	kei
Subscribed and (SEAL)	d sworn to before me this3 ²²	👱 Date	3/93 March, 1 thia X Sta	19 <u>93</u> .
State of South Dakota				
My Commission Expires 12 7 98				
n d fi	Consistent with SDCL 49-41B-17 nust be filed with the Public Utilit late SDIPC's <u>Petition to Amend</u> led February 5, 1993. Therefor pust be filed in the Commission's	es Commis Application e, this Appl	ssion within 60 o was filed. The licaiton for Party	days from the petition was y Status form

Marshall Damgaard, Executive Director SD Public Utilities Commission 500 East Capitol Avenue Pierre, SD 57501-5070

to:

BEFORE THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE AMENDED

to:

RECEIVED

MARI 7 1993

SOUTH DAKOTA PUBLIC

UTILITIES COMMISSION

INTRASTA PERMIT T INCH O.D. FACILITY	TION OF THE SOUTH DAKOTA THE PIPELINE COMPANY FOR A TO CONSTRUCT AN 8.625 AND 6.625 TRANSMISSION PIPELINE IN EDMUNDS, WALWORTH, SULLY AND HUGHES COUNTIES, AKOTA.	APPLICATION FOR PARTY STATUS (DOCKET NG92-002)
Pursuant to	SDCL 49-41B-17 and ARSD 20:10:22:40	, NORTHERN BORDER PIPELING CO
petitions the	Public Utilities Commission to be granted	d party status in the above
eferenced t	ransmission facility permit proceeding.	
	Sigi	nature of Applicant
_ 155	The state of the s	<u>Nav 15, 1593</u> te
Subscribed	and sworn to before me this 15-16 day of	of March, 1993.
(SEAL)	and sworn to before me this <u>/</u> 5 ⁻ / ^L day o	and Public
State of A	lebraska	
My Commis	ssion Expires <u>November 6, 1993</u>	
NOTE:	Consistent with SDCL 49-41B-17 and A must be filed with the Public Utilities Codate SDIPC's <u>Petition to Amend</u> Applic filed February 5, 1993. Therefore, this	ommission within 60 days from the cation was filed. The petition was

Marshall Damgaard, Executive Director SD Public Utilities Commission 500 East Capitol Avenue Pierre, SD 57501-5070

must be filed in the Commission's offices on or before April 6, 1993. Mail

H

BEFORE THE PUBLIC UTILITIES COMMISSION RECEIVED

OF THE STATE OF SOUTH DAKOTA

MAR 3 1993 SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

APPLICATINTRASTA PERMIT TINCH O.D FACILITY	ATTER OF THE AMENDED FION OF THE SOUTH DAKOTA ATE PIPELINE COMPANY FOR A CO CONSTRUCT AN 8.625 AND 6.625. TRANSMISSION PIPELINE IN EDMUNDS, WALWORTH, SULLY AND HUGHES COUNTIES, AKOTA.	APPLICATION FOR PARTY STATUS (DOCKET NG92-002)
Pursuant to	SDCL 49-41B-17 and ARSD 20:10:2	2:40, C, ty of Blunt, (Name of Applicant)
petitions the	e Public Utilities Commission to be gra	anted party status in the above
referenced	transmission facility permit proceeding].
Subscribad	and sworn to before me this _lst_c	Signature of Applicant Signature of Applicant Date Avoid March 1993
Supscribed		
(SEAL)		Adeline Krunge Notary Public
State of		
My Commis	ADELINE KRUGER, Notary Public My Commission Expires February 4, 1996	
NOTE:	must be filed with the Public Utilitie date SDIPC's Petition to Amend A filed February 5, 1993. Therefore	and ARSD 20:10:22:40, this application is Commission within 60 days from the application was filed. The petition was this Application for Party Status form offices on or before April 6, 1993. Mail

Marshall Damgaard, Executive Director SD Public Utilities Commission 500 East Capitol Avenue Pierre, SD 57501-5070

to: