

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

4-5
10509

**IN THE MATTER OF THE AMENDED) NOTICE OF PETITION TO
**APPLICATION OF THE SOUTH DAKOTA) AMEND APPLICATION;
**INTRASTATE PIPELINE COMPANY FOR A) ORDER FOR AND NOTICE
**PERMIT TO CONSTRUCT AN 8.625 AND) OF OPPORTUNITY TO
**6.625 INCH O.D. TRANSMISSION PIPELINE) APPLY FOR PARTY
**FACILITY IN EDMUNDS, WALWORTH,) STATUS AND OF PUBLIC
**POTTER, SULLY AND HUGHES COUNTIES,) INPUT HEARING
**SOUTH DAKOTA.)
**)
) (DOCKET NG92-002)******************

On March 31, 1992, the Public Utilities Commission (Commission) received an application for a construction permit from the South Dakota Intrastate Pipeline Company (SDIPC or Applicant) to build an 8.625 and 6.625 inch outside diameter natural gas transmission pipeline facility in Edmunds, Walworth, Potter, Sully and Hughes Counties. The line was to be constructed from the existing Northern Border Compressor Station #9 in Edmunds County westerly along the US Highway 12 (US 12) right-of-way to the intersection of US 12 and 83, then southerly along the US 83 right-of-way to Pierre, South Dakota, to the vicinity of the intersection of Airport Road and US 83/14.

On September 4, 1992, SDIPC filed a minor amendment to the proposed route. The new route turns South three miles East of Highway 83 and proceeds generally South on township roads which will take the pipeline East rather than West of Gettysburg, Onida and Agar and then to the vicinity of the intersection of Airport Road and US 83/14 East of Pierre South Dakota.

After Commission review of the Application, including public input hearings, the granting of party status to interested applicants, the establishment of a procedural schedule and a public adversary hearing; The Commission issued its Order Granting the Construction Permit, including terms and conditions, on December 9, 1992.

On February 5, 1993, SDIPC filed a Petition to Amend the Application (Petition) pursuant to SDCL 49-41B-13. SDIPC requests the Commission reopen Docket NG92-002 "for the purpose of allowing the Applicant to present evidence in support of its proposal to

construct and operate a lateral pipeline, entirely within Walworth County, South Dakota, commencing at a point located in the NE Quarter of Section 23, Township 123 North, Range 76 West, in Walworth County, where the pipeline siting application previously approved by this Commission traverses said point, and terminating in the NE Quarter of Section 28, Township 124 North, Range 79 West, just east of the City of Mobridge." Enclosed with the Petition, were maps of the proposed lateral pipeline route and revised exhibits indicating the lateral will be a 3.5 inch O.D. transmission line.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL 49-41B, specifically 49-41B-1, 49-41B-4, 49-41B-11, 49-41B-13, 49-41B-15 and 49-41B-24. At its regularly scheduled February 23, 1993, meeting, the Commission heard initial comments on the Petition to Amend the Application. The Commission finds, after reviewing the filing, that a sufficient basis has been shown to grant the petition to amend the application. It is therefore

ORDERED, that this docket is hereby re-opened to consider SDIPC's Petition to Amend the Application, and it is

FURTHER ORDERED, that the Commission hereby gives notice that pursuant to SDCL 49-41B-17, the parties to this proceeding are SDIPC and the Commission. Further, each municipality, county and governmental agency in the area where the facility is proposed to be sited; any non-profit organization, formed in whole or in part to promote conservation or natural beauty, to protect the environment, personal health or other biological values, to preserve historical sites, to promote consumer interests, represent commercial and industrial groups, or to promote the orderly development of the areas in which the facility is to be sited or any interested person, may be granted party status in this proceeding upon making written application to the Commission. The application shall be on a form provided by the Commission and must be filed with the Commission within 60 days from the date SDIPC's Petition to Amend the Application was filed with the Commission consistent with SDCL 49-41B-17 and ARSD 20:10:22:40. Therefore, in this docket, an application for party status shall be filed with the Commission on or before April 6, 1993; and it is

FURTHER ORDERED, that pursuant to SDCL 49-41B-17.1, a party may receive all material filed in this matter by making a specific request to the Commission for personal service of the material. Absent any such specific request, for the purposes of this proceeding, the County Auditor of Walworth County is the designated agent for the service of process upon all other parties to this proceeding, and it is

FURTHER ORDERED, that the Commission shall hold a public input hearing in regard to the lateral pipeline on:

Monday, March 8, 1993, 11:00 a.m. - 1:00 p.m. (or until all have been heard) in the Winchester Room of the Wheel Restaurant, West Grand Crossing Street, Mobridge, South Dakota.

At the public input hearing, interested persons may appear and present their views and comments on SDIPC's AMENDED Application. A copy of the AMENDED Application is on file with the Walworth County Auditor. And it is

FURTHER ORDERED, that the application by SDIPC (Applicant) shall be and the same is, incorporated as if set forth in full herein.

Dated at Pierre, South Dakota, this 25th day of February, 1993.

<p align="center">CERTIFICATE OF SERVICE</p> <p>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, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.</p> <p>By: <u>Risa J. Forest</u></p> <p>Date: <u>Feb. 25, 1993</u></p> <p align="center">(OFFICIAL SEAL)</p>

BY ORDER OF THE COMMISSION:
Commissioners Schoenfelder,
Stofferahn, and Burg

Marshall Damgaard
MARSHALL DAMGAARD
Executive Director

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

IN THE MATTER OF THE AMENDED)
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.)

**APPLICATION FOR
PARTY STATUS**

(DOCKET NG92-002)

Pursuant to SDCL 49-41B-17 and ARSD 20:10:22:40, _____,
(Name of Applicant)
petitions the Public Utilities Commission to be granted party status in the above
referenced transmission facility permit proceeding.

Signature of Applicant

Date

Subscribed and sworn to before me this _____ day of _____, 19 ____.

(SEAL)

Notary Public

State of _____

My Commission Expires _____

NOTE: Consistent with SDCL 49-41B-17 and ARSD 20:10:22:40, this application must be filed with the Public Utilities Commission within 60 days from the date SDIPC's Petition to Amend Application was filed. The petition was filed February 5, 1993. Therefore, this Application for Party Status form must be filed in the Commission's offices on or before April 6, 1993. Mail to:

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