

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE FILING OF THE  
INVESTIGATION OF THE NATURAL GAS  
INCIDENT OF MARCH 8, 2007 IN  
MITCHELL, SOUTH DAKOTA

Docket Number PS07-002

PETITION OF AMERICAN FAMILY  
INSURANCE, TO INTERVENE

Pursuant to ARSD 20:10:01:15.02, American Family Insurance (“American Family”), by its undersigned counsel, petitions the Commission as follows:

1. American Family has previously advised the Commission Staff of its interest regarding the pipeline explosion on March 8, 2007, at 1612 Bridle Drive in Mitchell, South Dakota.
2. On July 18, 2007, American Family was notified:
  - a. Commission Staff conducted an informal fact-finding investigation, which was inconclusive.
  - b. It is not apparent forensic tests are required of the natural gas pipe from North Western Energy’s distribution system that is suspected to have failed and allowed natural gas to leak from the pipe and cause the explosion.
  - c. North Western Energy (“NWE”) desires to conduct such tests with its own expert(s) to protect itself in the event future litigation ensues.
  - d. Commission Staff understands NEW’s position and anticipates others may also desire tests by their own experts.
  - e. In order to best protect the public interest, the Commission must conduct a forensic test by an independent third party without any pre-existing relationship with NEW or other interested parties.
  - f. Destructive testing is anticipated.

3. As a result of this notification, American Family believes it could be adversely affected if it is not allowed to intervene as to the selection of the independent third-party expert and as to the destructive testing of the natural gas pipe.
4. American Family, through its attorneys, has retained experts who should be allowed to participate in the "collaborative testing" of the pipe so that its interests are protected.
5. American Family's interests are peculiar to it as distinguished from an interest common to the public or to the taxpayers in general.

WHEREFORE, American Family respectfully petitions the Commission for leave to intervene in this matter.

Date: August 7, 2007

By: 

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CERTIFICATE OF SERVICE

The undersigned, one of the attorneys for American Family Insurance, hereby certifies that on August 7, 2007, and in accordance with ARSD 20:10:01:15.02, a true and correct copy of **PETITION OF AMERICAN FAMILY INSURANCE, TO INTERVENE** in the above matter was served electronically upon:

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