



Dustin Johnson, Chair  
Steve Kolbeck, Vice Chair  
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## SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

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January 4, 2010

Ms. Patricia Van Gerpen, Executive Director  
South Dakota Public Utilities Commission  
500 E. Capitol Ave.  
Pierre, SD 57501

RE: Montana-Dakota Utilities (MDU) Request to Close Docket PS09-001

Dear Ms. Van Gerpen:

On December 30, 2009 MDU filed a request to close docket PS09-001. The request was based on expert investigator conclusions MDU's jurisdictional pipeline system was not the cause of the explosion. Staff supports MDU's request based on the following:

- Staff read both expert reports (Mr. Wilber and Mr. Henderson) and concluded their analyses adequately demonstrated MDU's jurisdictional pipeline system was not the probable cause of the explosion
- Staff also conducted several types of formal root cause analysis techniques on the data. The analysis further confirmed the conclusions were adequately supported by the facts.
- Staff, at this time, believes sufficient evidence exists to conclude additional testing is unnecessary. Staff's analysis is complete.

The compliance issues which originated during our investigation of the incident within this docket will be addressed in Docket PS09-006. There is no reason for Docket PS09-001 to remain open.

Sincerely,

*Nathan D. Solem*

Nathan D. Solem  
Pipeline Safety Program Manager