

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

IN RE:

DOCKET NO. PS09-001

In the Matter of the Filing of the
Investigation of the Natural Gas
Incident of March 14, 2009, on
Montana-Dakota Utilities Co.'s System
in Rapid City, South Dakota.

REQUEST TO TEST GAS LINE

Midwest Clutch and Auto Repair ("Midwest Clutch") and its insurer
Midwest Family Mutual Insurance Company ("Midwest Family") by and
through their undersigned counsel, and pursuant to SDCL 49-34B-26,
request approval by the commission to test a piece of a main gas line. In
support of their Request, Midwest Clutch and Midwest Family state as
follows:

1. Midwest Clutch is a Rapid City business that had its building and contents destroyed by an explosion on March 14, 2009. The total loss is over \$500,000;
2. Midwest Family insures the building and contents;
3. The cause and origin expert hired on behalf of Midwest Clutch opines that Montana Dakota Utilities ("MDU") is liable for the loss and damage but MDU has not accepted liability for the explosion;
4. Midwest Clutch and Midwest Family are seeking permission to test a ten foot piece of the main gas line to establish additional facts regarding this incident;
5. Midwest Clutch and Midwest Family are willing to have a joint test completed with all parties involved, at an independent lab, Stork Twin Cities;

6. A metallurgist Sid Bhatt of MEM Engineering would be present for the inspection and testing on behalf of Midwest Clutch and Midwest Family;
7. Midwest Clutch and Midwest Family are willing to follow any other protocol provided by the commission.

Wherefore, Midwest Clutch and Midwest Family respectfully request approval for testing the ten foot section of the main gas line.

Respectfully submitted September 10, 2009.

**BANGS, McCULLEN, BUTLER, FOYE
& SIMMONS, L.L.P.**

By: /s/ Terry G. Westergaard
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*ATTORNEYS FOR INTERVENORS MIDWEST CLUTCH
AND AUTO REPAIR AND MIDWEST FAMILY MUTUAL
INSURANCE COMPANY*

CERTIFICATE OF SERVICE

The undersigned certifies that on September 10, 2009, he caused true and correct copies of the above to be served upon each of the persons identified below as follows:

<input type="checkbox"/>	First Class Mail	<input type="checkbox"/>	Overnight Mail
<input type="checkbox"/>	Hand Delivery	<input type="checkbox"/>	Facsimile
<input type="checkbox"/>	Electronic Mail	<input checked="" type="checkbox"/>	E-filing on PUC Website

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