

# SSML&B

SCHMIDT, SCHROYER, MORENO, LEE & BACHAND, P.C.  
A PROFESSIONAL LEGAL CORPORATION

September 15, 2009

Ms. Patricia Van Gerpen  
Executive Director  
SD Public Utilities Commission  
500 E. Capitol Avenue  
Pierre, SD 57501-5070

Re: New Docket - South Dakota Intrastate Pipeline

Dear Ms. Van Gerpen:

I represent South Dakota Intrastate Pipeline Company and have been provided with a copy of the August 12, 2009 correspondence to you from Nathan Solem, acting Pipeline Safety Program Manager. Mr. Solem is recommending that the Commission assess a \$50 fine against SDIP as a result of it being a couple weeks late in replacing some flange stud bolts.

The stud bolts have been replaced and the reason for any purported delay was simply that SDIP was waiting for the hot part of August to pass before shutting the pipeline down to complete the work. August was unseasonably cool, but in any event, this work has been completed and SDIP respectfully requests that the Commission not assess the \$50 fine as a result of what transpired in this case.

Thank you for your attention to this matter. I would appreciate being advised of the date the Commission will address this case. Please contact me if you have any questions.

Sincerely,



Paul E. Bachand

PEB/mm

cc: Gordon Woods, South Dakota Intrastate Pipeline Company