

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

**IN THE MATTER OF THE FILING BY)
COMMISSION PIPELINE SAFETY STAFF FOR)
APPROVAL OF A PENALTY FOR A PIPELINE)
SAFETY VIOLATION BY HUMBOLDT)
MUNICIPAL GAS UTILITIES)
)**

**SECOND
AMENDED COMPLAINT

PS13-001**

On May 7, 2013, Pipeline Safety Staff (“Staff”) filed a letter alleging pipeline safety violations by Humboldt Municipal Utilities (“Humboldt” or “operator”). After that time, additional violations were noted by Staff, leading Staff to amend its complaint and penalty assessment recommendations. An Amended Complaint was filed on July 24, 2013. On December 9, 2013, a Stipulation and Request for Dismissal Without Prejudice (“Stipulation”) was filed by the parties.

Staff now states as follows:

1. The Stipulation filed on December 9, 2013, reflected the agreement and understanding of both parties.
2. The Stipulation was approved by the Public Utilities Commission (“Commission”) on December 18, 2013.
3. Through the Stipulation, Staff reserved the right to re-file its Complaint should the solution agreed upon by the parties be determined to be inadequate at a later date.
4. In the Stipulation, the parties agreed to the following:
 - a. Humboldt will maintain in its employ or contract with a Utility Manager. The Utility Manager will dedicate a minimum of 15 hours per week to natural gas work.

- b. The majority of the office of administrative duties related to natural gas will be the responsibility of the Finance Officer, who will dedicate a minimum of 20 hours per week to natural gas duties.
5. At this time, Humboldt is not in compliance with the above-mentioned conditions.
6. In January of 2014, the Finance Officer for Humboldt left her position. Humboldt has since hired a new Finance Officer; however, the new Finance Officer has not performed the natural gas duties as agreed upon in the Stipulation. It is the belief of Staff that the new Finance Office devotes little or no time to natural gas duties.

WHEREFORE, Humboldt is not in compliance with the conditions agreed upon in the Stipulation and has not been for some time, Staff respectfully requests the Commission order the recommended penalty and corrective action recommended by Staff in the Amended Complaint, filed on July 24, 2013.

Dated this 16th day of October, 2014.



Kristen N. Edwards
Staff Attorney
South Dakota Public Utilities Commission
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Certificate of Service


I hereby certify that on the 16th day of October, 2014, I caused a copy of Staff's **Second Amended Complaint** to be served on

Ms. Sabrina Meierhenry
Attorney for City of Humboldt
Meierhenry Sargent LLP
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Via first class mail.

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