

**GENERAL RULES OF PRACTICE**

**Commented [A1]:** Style - Include the chapter number above this entry--as depicted in the example on pg. 30, ARSD DM.

Section

- 20:10:01:01 Sessions of commission.
- 20:10:01:01.01 Definitions.
- 20:10:01:01.02 Use of rules of civil procedure.
- 20:10:01:02 Appearances.
- 20:10:01:02.01 Communications with commissioners.
- 20:10:01:02.02 Filing documents with the commission.
- 20:10:01:02.03 Contents and filing of pleadings.
- 20:10:01:02.04 Withdrawal and dismissal of pleading prior to final order.
- 20:10:01:02.05 Filing of documents.
- 20:10:01:03 Repealed.
- 20:10:01:04 Repealed.
- 20:10:01:05 Repealed.
- 20:10:01:06 Repealed.
- 20:10:01:07 Repealed.
- 20:10:01:07.01 Contents of consumer complaint.
- 20:10:01:08 Repealed.
- 20:10:01:08.01 Commission action on consumer complaints.
- 20:10:01:08.02 Complaints not in conformity.
- 20:10:01:09 Service of a consumer complaint -- Service of other complaints.
- 20:10:01:09.01 Service of documents by the commission.
- 20:10:01:10 Actions which satisfy complaint.

20:10:01:11 Repealed.

20:10:01:11.01 Defenses to complaint.

20:10:01:12 ~~Applications for new rates.~~ Repealed.

20:10:01:13 Repealed.

20:10:01:14 Adjournment and extensions.

20:10:01:15 Opportunity for hearing.

20:10:01:15.01 Burden in contested case proceeding.

20:10:01:15.02 Intervention.

20:10:01:15.03 Contents of petition to intervene.

20:10:01:15.04 Answer to petition to intervene.

20:10:01:15.05 Commission action on petition to intervene.

20:10:01:15.06 Individual's right to appear.

20:10:01:16 Amendments.

20:10:01:16.01 Response to amended pleadings.

20:10:01:17 Subpoenas.

20:10:01:17.01 Commission action on subpoena request.

20:10:01:17.02 Service of subpoena.

20:10:01:18 Repealed.

20:10:01:19 Stipulation.

20:10:01:20 Repealed.

20:10:01:21 Repealed.

20:10:01:22 Repealed.

20:10:01:22.01 Discovery -- Order to compel.

**Commented [A2]:** Style - Do not strike the catchline for a repealed section. See examples in ARSD DM, pgs. 30 and 35. Add the comma prior to "Repealed".

20:10:01:22.02 Notice of hearing.

20:10:01:22.03 Manner of service.

20:10:01:22.04 Change in time and place of hearing.

20:10:01:22.05 Hearing -- Opening statement.

20:10:01:22.06 Written testimony.

20:10:01:22.07 Exhibits at hearing.

20:10:01:23 Documentary evidence.

20:10:01:24 Procedure for filing documentary evidence.

20:10:01:24.01 Technical matter must be in exhibits.

20:10:01:24.02 Receipt of evidence.

20:10:01:24.03 Documentary exhibits furnished after close of hearing.

20:10:01:25 Briefs.

20:10:01:26 Repealed.

20:10:01:27 Repealed.

20:10:01:27.01 Reopening of the record.

20:10:01:28 Compliance with orders.

20:10:01:29 Rehearing or reconsideration.

20:10:01:30 Repealed.

20:10:01:30.01 Application for rehearing or reconsideration.

20:10:01:30.02 Answer to application for rehearing or reconsideration.

20:10:01:31 Repealed.

20:10:01:32 Information provided by commission.

20:10:01:33 Repealed.

- 20:10:01:34 Petition for declaratory ruling.
- 20:10:01:35 Commission action on petition.
- 20:10:01:36 Superseded.
- 20:10:01:37 Superseded.
- 20:10:01:38 Repealed.
- 20:10:01:39 Confidential information defined.
- 20:10:01:40 Confidential treatment of information.
- 20:10:01:41 Requests for confidential treatment of information by a submitting party.
- 20:10:01:41.01 Requests for confidential treatment of information by a non-submitting party.
- 20:10:01:42 Requirements for proving confidentiality.
- 20:10:01:43 Requests for access to confidential information.
- 20:10:01:44 Use of confidential information in commission orders.
- 20:10:01:45 Order to show cause -- Service, notice, contents.

**20:10:01:12. Applications for new rates.** ~~Any application for a new rate, fare, or charge filed with the commission shall include statements of facts, expert opinions, and substantiating documents and exhibits supporting the change requested. The application shall also state the change proposed to be made in the rates then in force and the time when the new rates will go into effect. The commission may request additional information, statistics, and data that the commission deems necessary for its investigation.~~ Repealed.

**Commented [A3]:** Form - Each rule section should occupy its own page in the proposed rules packet. ARSD DM, pg. 5.

**Commented [A4]:** Style - Follow the precise convention in the ARSD DM, pg. 32--retain the original period at the end of the sentence and simply insert "Repealed" immediately prior to that period, deleting everything else prior.

Source: SL 1975, ch 16, § 1; 12 SDR 85, effective November 24, 1985; 12 SDR 151, 12 SDR 155, effective July 1, 1986.



**General Authority:**SDCL 49-1-11.

**Law Implemented:**SDCL 49-10-12.

**20:10:01:17.02. Service of subpoena.** A subpoena ~~shall~~ must be served and enforced in the manner prescribed by law for subpoenas in civil actions. If a person fails to comply with a subpoena served upon the person, the commission may stay further proceedings until the subpoena is obeyed. If a person who fails to obey the subpoena is a party to the proceeding or an officer, member, or employee of a party, the commission may strike all or any part of any pleading of the party, refuse to allow the party to support or oppose designated claims or defenses, or delay the proceeding ~~or any part of it.~~

**Source:** 2 SDR 56, effective February 2, 1976; transferred from § 20:10:14:37, 12 SDR 85, effective November 24, 1985; 12 SDR 151, 12 SDR 155, effective July 1, 1986.

**General Authority:**SDCL 49-1-11.

**Law Implemented:**SDCL 1-26-19.1, 49-3-14, 49-3-15.

**20:10:12:15. Financial criteria for licensing.** ~~At a minimum, for~~ For a class A license, the applicant's balance sheet must show a positive net worth of \$100,000 at least \$250,000. ~~However, in order to offer voluntary credit sale contracts, a class A license applicant's balance sheet must show a positive net worth of \$500,000.~~ At a minimum, for a class B license the applicant's balance sheet must show a ~~positive~~ net worth of at least \$100,000 and show current assets greater than

**Commented [A5]: Style** - This should not be underlined, as it is content currently found in rule. This often happens because in using the "Printer Friendly" version of the ARSD as the framework, the hyperlinked SDCL citations appear underlined. That autoformatting should be removed. Moreover, a space should exist between the ":" and "SDCL" - which appears to be a typo that currently exists in some of the rule sections in this chapter. Please make these changes throughout the rule packet.

Lastly, a repealed section has its General Authority and Law Implemented notes struck through. See ARSD DM, pg. 32.

**Commented [A6]: Form** - By adhering to the convention of each rule section on a separate page, the line between sections is not necessary.

**Commented [A7]: Style** - per ARSD DM, pgs. 14-15.

**Commented [A8]: Clarity** - Wouldn't a "delay [of] the proceeding" entail a delay on any part of the proceeding--a delay must be made to a discrete step of the proceeding, must it not? Can this phrase be struck as redundant?

**Commented [A9]: Clarity** - By being "at least \$250,000," it is necessarily implied that this is "at a minimum." Accordingly, the intro phrasing should be -- "For a class A license, the applicant's balance..."

**Commented [A10]: Style** - Spaces around new or struck content must also be underlined and struck-through. LRC's convention is that any new content, where possible, should have the space immediately preceding it underlined. The same is true for removed content, with the space preceding being struck. ARSD DM, pg. 6.

**Commented [A11]: Clarity** - Strike as unnecessary?

**Commented [A12]: Clarity** - As suggested in the strike in the next sentence, is it not redundant to specify "positive" net worth, as a net worth, by definition, is an account of assets minus liabilities?

**Commented [A13]: Clarity** - Presuming this should also read "at least"? Otherwise, a literal interpretation of this language would be that the applicant's balance sheet must equal exactly positive \$500,000 to be able to offer these contracts.

**Commented [A14]: Style** - Following LRC drafting conventions, the strike should be to the space before "positive" and not after.

current liabilities. In determining net worth and working capital for a class A or class B applicant, the commission may disallow the following assets if the assets are withdrawals of equity or are uncollectible:

- (1) Accounts and notes receivable from or advances to stockholders, owners, partners, employees, or affiliates;
- (2) Accounts receivable over ~~180~~ one hundred eighty days old;
- (3) Investments or equities in cooperatives; or
- (4) Goodwill.

**Commented [A15]:** Style - ARSD DM, pg. 19.

At a minimum, the balance sheet for a class A or class B applicant must show current assets greater than current liabilities. ~~In determining working capital, the commission may disallow the following assets if the assets are withdrawals of equity or are uncollectible:~~

**Commented [A16]:** Clarity - This phrasing is redundant. Please strike.

- ~~(1) Accounts and notes receivable from or advances to stockholders, owners, partners, employees, or affiliates;~~
- ~~(2) Accounts receivable over 180 days old;~~
- ~~(3) Investments or equities in cooperatives; or~~
- ~~(4) Goodwill.~~

**Commented [A17]:** Clarity/Style - Two items:

- 1) We should not have two sets of subdivisions in one section. If someone were to cite subdivision 20:10:12:15(2), which content would they be referencing?
- 2) Why are there two sets of subdivisions that read the same? The only difference is the lead-in to either. Can those two lead-ins be combined into one to alleviate this issue? My understanding is that working capital = current liabilities/assets, while net worth = all liabilities/assets. That seems like an easy amalgam. See above and to the left.

**Source:** 24 SDR 190, effective July 15, 1998; 40 SDR 39, effective September 9, 2013.

**General Authority:** SDCL 49-45-6(5).

**Law Implemented:** SDCL 49-45-7.

**Commented [A18]:** Legality - This does not appear to be the appropriate subdivision for this rulemaking subject area. It appears to be subdivision (4). Statute does not require you to specify the subdivision, necessarily, in the General Authority note (it is a different story for Law Implemented, see SDCL 1-26-6.2). By eliminating the subdivision, you prevent this from happening again--where an addition or repeal of a subdivision in statutory authority for a rule requires changing the note in an administrative rule.



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**20:10:26:04. Individual metering -- When not required.** Individual meters are not required and no variance need be requested under the following circumstances:

**Commented [A19]:** Clarity - Consider whether this phrase is necessary, or whether the lead-in, into each subdivision, can clearly convey the information intended.

(1) For residential multiple-occupancy buildings consisting of only two units, of which one unit is occupied by the owner of the building;

(2) For hospitals, nursing homes, transient hotels and motels, dormitories, campgrounds, and other residential facilities of a strictly transient nature;

(3) For existing multiple-occupancy buildings which currently receive either master metered gas service or electric service, or both;

**Commented [A20]:** Style - "that" - ARSD DM, pg. 26.

(4) For existing mobile home courts and trailer parks;

(5) For multiple-occupancy residential buildings where gas service is used only for either gas ranges or gas dryers, or both; ~~and or~~

**Commented [A21]:** Clarity - the preferred word here should be "or." "And" is usually used in a list to include all of the above where "or" can be one or any combination of the list.

(6) For multiple-occupancy buildings which have central heating or cooling systems, central ventilating systems, or central water heating systems. ~~However, the applicant shall notify the commission so it may determine whether the applicant's system falls within this exception or whether the applicant is required to file an application for a variance.~~

**Commented [A22]:** Style - that (same)

If a building does not fall within one of the exceptions listed in this section or does fall within one of the subdivisions of § 20:10:26:03, the applicant may file an application for a variance with the commission consistent with this chapter.

**Source:** 18 SDR 26, effective August 7, 1991.

**General Authority:** SDCL [49-1-11](#), [49-34A-4](#), [49-34A-27](#).

**Law Implemented:** SDCL [49-34A-4](#), [49-34A-27](#).

**Collateral References:** In the Matter of the Investigation of Master Metering, Docket F-3237, Decision and Order dated June 13, 1980 (Errata Notice dated December 22, 1980); In the Matter of the Investigation of Master Metering, Docket F-3237, Decision and Order dated July 24, 1981; In the Matter of the Petition For Declaratory Ruling by S&D Metering, Ltd., F-3621, Declaratory Ruling and F-3237, Modifying in Part, Decision and Order dated October 2, 1986.

**20:10:26:06. Notice requirements if no hearing is requested.** If the applicant has not requested a hearing, the commission ~~shall~~ **must** serve notice on the affected utility company and all parties within ~~15~~ **fifteen** days after receipt in the commission's offices of a variance application which is in compliance with the provisions of § 20:10:26:05. The parties served notice of the variance request ~~shall~~ have ~~15~~ **fifteen** days to respond to the notice. Failure of the parties who are served notice to request a hearing within ~~15~~ **fifteen** days after service of the notice is considered a

**Commented [A23]: Clarity** - This concept of a variance seems buried in this section. Also, it is not clear in reading 20:10:26:03 that there is any exception--such as this variance--to the requirement of metering, which is depicted as a requirement without caveat. That exception must be referenced in 20:10:26:03 at the very least. I would strongly recommend that this content re: variances be inserted in 20:10:26:03.

Indeed, it is confusing to have one section explain when a meter is required, and then to have another section specify when metering is not required. This sets up the possibility of "daylight" existing between the two. Is there any daylight?

**Legality** - Addressing this concern--despite it being in sections of rule not specifically listed in the Notice of Hearing--should not be a problem, as the concept of "simplify[ing] master metering requirements" was referenced in the Notice. See SDCL 1-26-4(7) ("A proposed rule may be modified or amended at this time to include or exclude matters that were described in the notice of hearing").

**Commented [A24]: Legality** - Which of the subdivisions in SDCL 49-1-11 serve as general authority (i.e., the authority to promulgate rule in the subject area of metering/master metering)?

**Commented [A25]: Legality** - There are multiple subdivisions here referencing the PUC's ability to promulgate rules regarding meters--General Authority. What I do not see are the intelligible standards, or the "policy, standard, or rule" that provides guardrails or provides some context for the rules the PUC drafts in the subject area of metering requirements--Law Implemented. See ARSD DM, pgs. 9-10. Perhaps it is there? If not, this citation should be removed from the Law Implemented note. SDCL 49-34A-27 appears to provide sufficient law implemented in this respect.

**Commented [A26]: Style** - an action required as a condition of something - ARSD DM, pg. 14.

**Commented [A27]: Style** - ARSD DM, pg. 19.

**Commented [A28]: Style** - "that" - ARSD DM, pg. 26.

**Commented [A29]: Style** - can strike as there is no duty--the fifteen days is a statement of condition in law.

**Commented [A30]: Clarity** - Consider whether this phrase is redundant, as the parties referenced are those previously described as being those parties to which notice of the variance request was provided. If so, it can be struck.



waiver of hearing. The commission shall publish a notice in the legal newspaper for the nearest city or town in which the variance is requested.

If the hearing is waived, the commission shall must consider the application without a hearing and enter its decision.

**Commented [A31]:** Style - an action required as a condition of something - ARSD DM, pg. 14.

**Source:** 18 SDR 26, effective August 7, 1991.

**General Authority:** SDCL 49-1-11, 49-34A-4, 49-34A-27.

**Law Implemented:** SDCL 49-34A-4, 49-34A-27.

**Commented [A32]:** Legality - Same issue as with the section immediately above.

**Collateral References:** **In the Matter of the Investigation of Master Metering**, Docket F-3237, Decision and Order dated June 13, 1980 (Errata Notice dated December 22, 1980); **In the Matter of the Investigation of Master Metering**, Docket F-3237, Decision and Order dated July 24, 1981; **In the Matter of the Petition For Declaratory Ruling by S&D Metering, Ltd.**, F-3621, Declaratory Ruling and F-3237, Modifying in Part, Decision and Order dated October 2, 1986.

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**20:10:32:52. Annual certification requirements for designated eligible telecommunications carriers.** Consistent with 47 C.F.R. §§ 54.313 and 54.314 (January 1, 2006), an eligible telecommunications carrier shall request the commission to file an annual certification with the Universal Service Administrative Company and the Federal Communications Commission stating that all federal high-cost support provided to the carrier will be used only for

**Commented [A33]:** Clarity - Does this impart any additional substantive requirements? If not--if it is just to say that what follows adheres to federal law--then it should be struck as unnecessary.

Legality - If you want to retain this material, know that these rules have been amended since 2006 and may need to be considered with a new date.

the provision, maintenance, and upgrading of facilities and services for which the support is intended. An eligible telecommunications carrier shall file its request for annual certification with the commission ~~on or before August 1, 2006, and by June July~~ first of each year thereafter. Failure of an eligible telecommunications carrier to file by the deadline may result in the commission's inability to provide certification to the Universal Service Administrative Company and the Federal Communications Commission by the following October first.

**Source:** 32 SDR 231, effective July 10, 2006.

**General Authority:** SDCL 49-31-76, 49-31-77, 49-31-81.

**Law Implemented:** SDCL 49-31-3, 49-31-78.

**20:10:37:10. Pipeline operator's incident reporting requirements.** As soon as reasonably possible, but no later than one hour, following confirmed discovery as found in ~~the Code of Federal Regulations, Title 49, C.F.R. Part 191 as of~~ (July 1, 2021 2023), of an incident, the pipeline operator shall notify the commission by phone of any incident on the pipeline system owned or operated by the pipeline operator. The notification shall include the identity of the pipeline operator, the time and location of the incident, whether there are ascertainable fatalities, personal injuries requiring inpatient hospitalization, or property damage, or both, and any other significant facts and public dangers relevant to the incident. This reporting requirement does not relieve the pipeline operator of the federal reporting requirements as found in the Code of Federal Regulations, Title 49, Part 191 as of July 1, 2021 2023. This reporting requirement requires personal notification to an inspector. Inspector contact information shall be provided by the commission.

**Commented [A34]:** Style - Just noting the need to strike the space ahead of each bit of content proposed for removal.

**Commented [A35]:** Clarity - Is it necessary to restate the recipients of the certification, when that was already provided above?

**Commented [A36]:** Style - Remove the underline, as it suggests that this is new content (one of those finicky hyperlink issues, I bet!). This issue appears in other sections below--please make those revisions there, also.

**Commented [A37]:** Clarity/Style - Does this seem like the right part of the sentence to insert a citation to the CFR on incident reporting re: gas pipelines? Or should it read: "following confirmed discovery of an incident, as provided in 49 C.F.R. Part 191 (July 1, 2023)," (note the use of the parenthetical instead of "as of July 1, 2023" per ARSD DM, pg. 20).

**Commented [A38]:** Style - ARSD DM, pg. 19.

**Commented [A39]:** Style - "must" - ARSD DM, pg. 14 (used with inanimate subjects).

**Commented [A40]:** Clarity - Because there is comma use within a list of items, there should be semicolons used to distinguish. Semicolons after "operator," "incident" and "both" should replace the commas.

**Commented [A41]:** Clarity - It is first described as a notification and then it is a report? Or are we talking about something else now? If the former, use uniform nomenclature. If the latter, provide more content to distinguish the notification from the report.

**Commented [A42]:** Style - See the above recommendations re: this citation.

**Commented [A43]:** Clarity - It is likely that "this reporting requirement" means the same reporting requirement laid out in this section, but the prior section makes reference to a second requirement. Given the prior sentence, it would eliminate any ambiguity to specify "The reporting requirement in this section requires..."

**Commented [A44]:** Clarity - What does "personal notification" mean? Any potential for ambiguity there? Particularly when it is very clear that the PUC must be notified via phone.

**Commented [A45]:** Style/Clarity - Do not use passive voice unless necessary. "The commission shall provide inspector contact information..." But then the question is to whom? Perhaps that also needs to be specified "...to pipeline operators.?"



Source: 36 SDR 57, effective October 19, 2009; 47 SDR 125, effective May 30, 2021.

General Authority: SDCL 49-34B-4, 49-34B-19.

Law Implemented: SDCL 49-34B-3, 49-34B-4, 49-34B-5, 49-34B-7, 49-34B-19, 49-34B-27.

Commented [A46]: Legality - Same issue.

**20:10:37:17. Change of ownership.** Each pipeline operator, upon finalization of an agreement to purchase or sell a jurisdictional gas pipeline facility subject to the provisions of the Code of Federal Regulations, Title 49, C.F.R. Part 192-as-of (July 1, 2024 2023), must, within 30 thirty business days, submit to the commission's pipeline safety program a written notification of this agreement. This rule does not apply to any transaction made pursuant to SDCL 49-34A-35.

Commented [A47]: Clarity - Manual 4.19 prefers the term buy over purchase to simplify language.

Commented [A48]: Style - "shall" per ARSD DM, pg. 14 (not an action required as a condition of something and not an inanimate subject).

Commented [A49]: Style - Eliminate the underscore.

Source: 36 SDR 57, effective October 19, 2009; 47 SDR 125, effective May 30, 2021.

General Authority: SDCL 49-34B-4, 49-34B-19.

Law Implemented: SDCL 49-34B-3, 49-34B-4, 49-34B-19, 49-34B-27.

Commented [A50]: Legality - Same issue.

**20:10:37:18. Notice requirements for transmission line construction.** Each transmission pipeline operator within the jurisdiction of the pipeline safety program shall, prior to the construction of a new transmission line, or a relocation or replacement of a transmission line as defined in the Code of Federal Regulations, Title 49, C.F.R. Part 192-as-of (July 1, 2024 2023):

Commented [A51]: Style - Manual 4.19 prefers "before" over "prior to".

(1) Submit the information below to the commission's pipeline safety program no later than 60 sixty days prior to the commencement of construction, relocation, or replacement:

Commented [A52]: Style - "beginning" - ARSD DM, section 4.19, preferred over "commencement".

(A) Pipeline operator's name and mailing address;

Commented [A53]: Style - Subsection notation now uses the same convention as statute. Accordingly, these should be (a), (b), (c), etc. - ARSD DM, pg. 14.

(B) Estimated dates construction is scheduled to begin and end;

Commented [A54]: Style/Clarity - Is there any reason why some prepositions/articles are eliminated?

(C) Map showing the location and proposed route of pipeline;

(A) The pipeline operator's  
(B) The estimated...  
(C) A map



(D) Identified gas transmission Integrity Management Program high consequence area, if applicable;

**Commented [A55]:** Style - Do not capitalize "titles of smaller officers or programs within departments." - ARSD DM, pg. 16.

Clarity - Is there some kind of Collateral Reference that can be provided below this section that describes what this is? For an example, see ARSD DM, pg. 21.

(E) Proposed steel pipeline specifications, including size, weight, grade, wall thickness, and coating;

(F) Proposed plastic pipe specifications, including size and Standard Dimension Ratio;

**Commented [A56]:** Style - Do not capitalize something that is not a proper noun.

(G) Proposed design and maximum allowable operating pressure of pipeline;

(H) Pressure test procedures and method of pressure test prior to operations;

(I) Proposed type of cathodic protection;

(J) Minimum burial depths of pipeline at time of construction;

(K) Proposed location and type of pipeline safety equipment;

(L) Proposed type of highway and water crossing, such as whether it will be bored and cased, bored only, or trenched;

**Commented [A57]:** Clarity - "and"

Style - We generally do not like using "such" - ARSD DM, pg. 25.

(M) Written construction procedures;

(N) Name of construction company if known at the time of filing the Notice; and

**Commented [A58]:** Style - make lowercase - ARSD DM, pg. 16.

(O) Pipeline operator's contact name and phone number;

(2) In the event of an emergency, as defined in the pipeline operator's operations manual, give telephonic notice of emergency construction, relocation, or replacement to the commission's pipeline safety program;

(3) Significant construction modifications shall be submitted to the pipeline safety program; and

**Commented [A59]:** Clarity - This does not read properly with the lead-in. Try: "Submit significant construction modifications to..."

(4) Submit the information below to the commission's pipeline safety program no later than ~~60~~ sixty days prior to the commencement of operation:

**Commented [A60]:** Style - "beginning"

(A) Operation and maintenance manual;

**Commented [A61]:** Style - Here, too, (a), (b), etc.

- (B) Emergency procedures;
- (C) Anti-drug and alcohol plan;
- (D) Public Awareness plan;
- (E) Damage prevention program;
- (F) Abnormal operations; and
- (G) Operator's qualification plan; and
- (H) Integrity Management Plan.

Commented [A62]: Style - Make lowercase.

Commented [A63]: Same.

**Source:** 36 SDR 57, effective October 19, 2009; 47 SDR 125, effective May 30, 2021.

**General Authority:** SDCL 49-34B-4, 49-34B-19.

**Law Implemented:** SDCL 49-34B-3, 49-34B-4, 49-34B-8, 49-34B-19, 49-34B-27.

Commented [A64]: Legality - Same issue.

**20:10:37:19. Annual report.** Each pipeline operator shall submit to the commission a copy of either its United States Department of Transportation Form RSPA F 7100.1-1 and/or or Form RSPA F 7100.2-1, or both. A copy of the report shall be submitted by March 15 fifteenth each year for the preceding calendar year.

This reporting requirement does not relieve the operator of its federal reporting requirements as found in 49 C.F.R. §§ 191.11 and 191.17 as of (July 1, 2024 2023).

**Source:** 36 SDR 57, effective October 19, 2009; 47 SDR 125, effective May 30, 2021.

**General Authority:** SDCL 49-34B-4, 49-34B-19.

**Law Implemented:** SDCL 49-34B-3, 49-34B-4, 49-34B-6, 49-34B-7, 49-34B-19, 49-34B-27.

Commented [A65]: Style - The in-context edits recommended by LRC reflect the stance against use of "and/or" and its suggested alternative, per GLD, pg. 23.

Commented [A66]: Style - Remove the underscore.

Commented [A67]: Style - ARSD DM, section 4.19 says to avoid the use of "and/or" and use instead the convention to the left.

Commented [A68]: Same.

Commented [A69]: Style - "must" - GLD, pgs. 18-19.

Commented [A70]: Style - GLD, pg. 15.

Commented [A71]: Legality - Same issue.