

**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 ) CROOKS MUNICIPAL GAS )	ORDER CANCELING HEARING  PS13-002
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On May 7, 2013, the Pipeline Safety Program staff (Staff) of the South Dakota Public Utilities Commission (Commission) filed a 2013 South Dakota Pipeline Safety Inspection, Summary of Deficiencies, and Penalty Calculation Worksheet involving a Distribution Pipeline Integrity Management Program (DIMP) inspection of Crooks Municipal Utilities (Crooks) conducted on May 1, 2013. On July 23, 2013, Staff filed an Amended Complaint alleging numerous violations of DIMP and other Pipeline Hazardous Materials Safety Administration (PHMSA) regulations and Exhibits containing Summaries of Deficiencies and Penalty Calculation Worksheets for the various alleged violations. On August 12, 2013, the Commission issued an Order for and Notice of Hearing setting this matter for hearing on September 10, 2013, at 1:30 P.M. in the State Capitol Building in Pierre. On September 5, 2013, Staff and Crooks jointly filed a Joint Request to Cancel Hearing advising the Commission that a verbal settlement had been reached between them and requesting a cancelation of the hearing to enable a settlement stipulation to be finalized and approved by the Crooks City Counsel for submission to the Commission for approval.

The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26 and 49-34B, including 49-34B-12 through 49-34B-15, 49 U.S.C. § 60101 et seq., and 49 C.F.R. Parts 191 and 192. The parties having agreed to a cancelation of the September 10, 2013, hearing to achieve a resolution of this matter through settlement stipulation, it is therefore

ORDERED, that the hearing scheduled for September 10, 2013 is canceled, and Staff and Crooks are directed to diligently pursue finalization of a stipulation resolving this matter and the approval thereof by Crooks.

Dated at Pierre, South Dakota, this 5<sup>th</sup> day of September, 2013.

<b>CERTIFICATE OF SERVICE</b>	
<small>The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.</small>	
By:	<u>Joy Lashley</u>
Date:	<u>9.5.13</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

Gary Hanson  
GARY HANSON, Chairman

Chris Nelson  
CHRIS NELSON, Commissioner

Kristie Fiegen  
KRISTIE FIEGEN, Commissioner