

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

PUBLIC UTILITIES COMMISSION)	ORDER GRANTING STAFF'S
STAFF'S REQUEST FOR ADOPTION OF)	REQUEST TO ACCEPT THE
PHMSA'S EXERCISE OF ENFORCEMENT)	EXERCISE OF ENFORCEMENT
DISCRETION)	DISCRETION
)	
)	PS19-001

On March 26, 2019, the Pipeline and Hazardous Materials Safety Administration (PHMSA) issued an exercise of enforcement discretion regarding farm tap inspections. On March 28, 2019, the South Dakota Public Utilities Commission (Commission) received a letter from its Pipeline Safety Staff (Staff) requesting the Commission "make a ruling on accepting the exercise of enforcement discretion published by PHMSA for as long as PHMSA has the exercise of enforcement discretion in effect." According to the letter, the exercise of enforcement discretion only applies to 49 CFR 192.740 which pertains to farm tap inspections. Staff requests the Commission exercise the same discretion at the state level.

On March 28, 2019, the Commission electronically transmitted notice of the filing with a deadline for initial comments due on April 17, 2019, to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv. No comments were filed. The Commission has jurisdiction over this matter pursuant to SDCL Ch. 49-34B.

At its regularly scheduled meeting on May 2, 2019, the Commission discussed this matter. Finding good cause to support the exercise of enforcement discretion, the Commission voted unanimously to grant Staff's request. It is therefore

ORDERED, that Staff 's request to exercise the same discretion as exercised by PHMSA as it pertains to farm tap inspections is hereby granted.

Dated at Pierre, South Dakota, this 15th day of May 2019.

<p>CERTIFICATE OF SERVICE</p> <p>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, electronically or by mail.</p> <p>By: <u>Karen E. Cremer</u></p> <p>Date: <u>05/15/19</u></p> <p align="center">(OFFICIAL SEAL)</p>
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BY ORDER OF THE COMMISSION:

Gary Hanson
GARY HANSON, Chairman

Chris Nelson
CHRIS NELSON, Commissioner

Kristie Fiegen
KRISTIE FIEGEN, Commissioner