

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

IN THE MATTER OF THE FILING OF)
THE INVESTIGATION OF THE)
NATURAL GAS INCIDENT OF)
MARCH 8, 2007, IN MITCHELL,)
SOUTH DAKOTA.)

PS07-002

**RESPONSE TO STAFF'S
MAY 23, 2008 REPORT**

Comes now NorthWestern Energy, by and through its counsel and offers this Response to Staff's May 23, 2008 report. NorthWestern is in receipt of staff's May 23, 2008 report in the above-captioned matter which has been filed with the Commission. NorthWestern notes that Staff's Report, which is contested by NorthWestern, is a report outlining preliminary allegations of probable violations and not a final determination.

NorthWestern disputes Staff's allegations in the May 23, 2008 report and puts Staff to its strict proof thereof. NorthWestern seeks the measure of due process afforded it by state law. Further, NorthWestern hereby gives notice of its intent to ask the Commission to set an evidentiary hearing for the Commissioners to take evidence and hear NorthWestern's defense.

Dated this 16th day of June, 2008.

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CERTIFICATE OF SERVICE

I hereby certify that the above Resistance was served electronically upon the following on the 16th day of June, 2008 by emailing a true and correct copy thereof to them at their last known electronic addresses, to-wit:

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