

BEFORE THE PUBLIC UTILITIES COMMISSION
STATE OF SOUTH DAKOTA

IN THE MATTER OF THE FILING
OF THE INVESTIGATION OF THE
NATURAL GAS INCIDENT OF
FEBRUARY 20, 2008, ON MONTANA-
DAKOTA UTILITIES CO.'S
SYSTEM IN PIERRE, SOUTH
DAKOTA

Docket Number: PS08-001

SDIP'S OBJECTION TO
MDU'S INTENT TO
PRESENT WITNESSES
TESTIMONY

TO: PATRICIA VAN GERPEN, EXECUTIVE SECRETARY

COMES NOW James Robbennolt, attorney for South Dakota Intrastate Pipeline Company and on behalf of SDIP objects to any testimony being offered at the informal meeting of the Commission presently scheduled for Thursday, October 30, 2008 for the reason that arguably, any such testimony would not be on the record and would not be subject to the usual due process safeguards offered by the rules of evidence which would normally govern proceedings before the Commission. SDIP further objects to the offering of any testimony at the presently scheduled Ad Hoc meeting on the grounds that any such witnesses sought to be presented by MDU would not be subject to the usual rules of discovery available to parties before the Commission.

Further more, should the Commission decide upon a resolution of the issues presented by this filing based upon any such non record testimony, there would be an insufficient basis for an appeal from that decision.

WHEREFORE, based upon the foregoing, SDIP respectfully objects to any testimony that might be anticipated at the time of the October 30, 2008 hearing.

Dated this 17th day of October 2008.

/s/James Robbennolt
James Robbennolt
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CERTIFICATE OF SERVICE

James Robbennolt hereby certifies that on the 17th day of October, 2008, he served electronically a true and correct copy of the foregoing SDIP's Objection to MDU's Intent to Present Witnesses Testimony in the above captioned action to the following at their last known addresses, to-wit:

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