Dustin Johnson, Chair
Steve Kolbeck, Vice Chair
Gary Hanson, Commissioner

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

500 East Capitol Avenue
Pierre, South Dakota 57501-5070
www.puc.sd.gov

Capitol Office
(605) 773-3201
1-866-757-6031 fax

Warehouse
(605) 773-5280
(605) 773-3225 fax

Consumer Hotline
1-800-332-1782

September 16, 2009

Mr. Jeffrey Wiese
Associate Administrator of Pipeline Safety
US DOT / PHMSA / PHP-01
1200 New Jersey Ave, SE East Room E22-330
Washington, DC 20590

Dear Mr. Wiese:

The South Dakota Public Utilities Commission approved a permanent waiver of 49 CFR 192.625(a) for NorthWestern Energy's natural gas operations in South Dakota. This approval is noted in the attached order in Docket PS09-003. Please accept this letter as the required notification to PHMSA for its 60 day waiver review process.

The required information for a waiver notice is given below:

1. Name, address, and telephone number of applicant.

   Melissa Baruth, Supervisor DOT
   NorthWestern Energy
   600 Market St.
   Huron, SD 57350
   605-353-7462

   Ms. Sara Dannen, Corporate Counsel
   NorthWestern Energy
   3010 W. 69th St.
   Sioux Falls, SD 57108
   605-978-2940

2. Safety regulation involved: 49 CFR 192.625(a)
3. Pipeline facilities involved: 450 feet of natural gas pipeline located in Edmunds County, South Dakota (legal location: NE ¼, NE ¼, Section 28, Township 124 North, Range 66 West)
4. Justification for the waiver: Please see attached Request for Waiver
5. PUC Order and incorporated Request for Waiver is attached.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Nathan D. Solem

Nathan Solem
Acting Pipeline Safety Program Manager
605-773-4210
nathan.solem@state.sd.us

CC: Ivan Huntoon, PHMSA Office of Pipeline Safety, Central Region, 901 Locust St., Suite 462, Kansas City, MO 64106, 816-329-3829, ivan.huntoon@dot.gov

Leonard Steiner, PHMSA Office of Pipeline Safety, Central Region, 901 Locust St., Suite 462, Kansas City, MO 64106, 816-329-3813, Leonard.steiner@dot.gov

attachments