

**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  
HUMBOLDT MUNICIPAL GAS UTILITIES

PS13-001

**ANSWER TO SECOND  
AMENDED COMPLAINT**


COMES NOW the City of Humboldt, South Dakota (hereinafter "Humboldt"), by and through its attorney, Patrick J. Glover, Meierhenry Sargent LLP, and submits this Answer to Second Amended Complaint.

ANSWER

1. The Second Amended Complaint fails to state a claim upon which relief may be granted.
2. Humboldt denies each and every allegation in the Second Amended Complaint unless specifically admitted herein and except as constitutes an admission against Humboldt's interests.
3. Humboldt admits paragraphs 1-4 of the Second Amended Complaint.
4. As affirmative defenses, Humboldt states the claims in the Second Amended Complaint are barred by waiver, release and estoppels.

WHEREFORE, Humboldt prays the Second Amended Complaint be dismissed on its merits with prejudice and that Humboldt have and recover its attorney fees, costs and disbursements and for such other and further relief as the Commission deems just and equitable.

Dated this 30<sup>th</sup> day of October, 2014.

  
\_\_\_\_\_  
Patrick J. Glover  
[patrick@meierhenrylaw.com](mailto:patrick@meierhenrylaw.com)  
MEIERHENRY SARGENT LLP  
315 S. Phillips Avenue  
Sioux Falls, SD 57104  
(605) 336-3075  
*Attorneys for Humboldt*