

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE COMPLAINT FILED BY RICK AND JENNIFER GIEDD, MECKLING, SOUTH DAKOTA, AGAINST PEOPLES NATURAL GAS COMPANY FOR CHARGES RESULTING FROM A GAS LEAK)))))	ORDER DISMISSING COMPLAINT AND CLOSING DOCKET NG96-021
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On October 7, 1996, the Public Utilities Commission (Commission) received a complaint from Rick and Jennifer Giedd, Meckling, South Dakota (Complainants) against Peoples Natural Gas Company, a Division of UtiliCorp United Inc. (Peoples) for charges resulting from a gas leak. Complainants state in their complaint that on May 15, 1996, Peoples notified them that their gas line was leaking. Complainants discovered that the line was broken on their side of the meter, but in their neighbor's field. Peoples billed Complainants for gas which allegedly escaped from the break in the approximate amount of \$4,000.00. Complainants do not believe they are responsible for the escaped gas as the break was not on their property and the pipeline was not buried at an adequate depth. Complainants are asking to be released from liability for the escaped gas and they do not believe they should be charged for the repair of the broken line. On October 18, 1996, Peoples filed a Motion to Dismiss Complaint with the Commission.

On November 1, 1996, at its regularly scheduled meeting, the Commission deferred this matter pending settlement negotiations. On February 3, 1998, the Commission considered this matter. The Commission has jurisdiction over this matter pursuant to SDCL 49-34A-2, 49-34A-4, and ARSD 20:10:01:07.01 and 20:10:01:08.01. As the Giedds and Peoples had resolved all the issues complained of by the Giedds and they had requested dismissal and closure of the docket, Commission Staff recommended that the Commission dismiss the complaint and close the docket. It is therefore

ORDERED, that the complaint be dismissed and that docket NG96-021 be closed.

Dated at Pierre, South Dakota, this 13th day of February, 1998.

CERTIFICATE OF SERVICE

BY ORDER OF THE COMMISSION:

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, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.

 JAMES A. BURG, Chairman

By: _____

 PAM NELSON, Commissioner

Date: _____

(OFFICIAL SEAL)

LASKA SCHOENFELDER,
Commissioner