

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

IN THE MATTER OF THE APPLICATION OF)
THE RAPID CITY GAS TRANSPORTATION)
COMPANY, LLC FOR A PERMIT TO)
CONSTRUCT A 6.625 INCH O.D.)
TRANSMISSION PIPELINE FACILITY IN)
PENNINGTON COUNTY, SOUTH DAKOTA)
)

ORDER FOR AND NOTICE
OF OPPORTUNITY TO
INTERVENE OR COMMENT
AND ASSESSMENT OF A
FILING FEE

NG98-001

On February 24, 1998, the Public Utilities Commission (Commission) received an application for a construction permit from Rapid City Gas Transportation Company, LLC (Rapid City Gas) to build a 6.625 inch O.D. transmission pipeline and associated facilities. The purpose of the facility is to supply natural gas to entities including, but not limited to, the Merillat Company, Rapid City, South Dakota. Merillat Company is a manufacturer of wood cabinets at a plant in Rapid City. Merillat wants a direct connection from its pipeline transporter to its factory. The estimated construction cost of the proposed transmission pipeline and associated facilities is approximately \$1,000,000.00.

The proposed 6.625 inch O.D. transmission line will extend from a point on the existing Williston Basin Interstate Pipeline Company, located at Township 2 North, Range 8 East, Section 21, in Pennington County, South Dakota, extending in a southerly direction in the Elk Creek Road right-of-way for a distance of approximately 1.1 miles to the Interstate Highway 90 and continuing in a southerly direction in the Elk Creek Road right-of-way for 2.6 miles to State Highway 44. The pipeline will then continue in a southerly direction in the proposed new state limited access Highway for 2.6 miles to the Merillat Plant Lateral then westerly for 0.5 miles to the Merillat Plant.

At its regularly scheduled March 10, 1998, meeting, the Commission reviewed Rapid City Gas' filing. The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapters 1-26 and 49-41B, specifically, SDCL 1-26-16, 1-26-17, 1-26-17.1, 49-41B-1, 49-41B-4, 49-41B-11, 49-41B-12, 49-41B-13, 49-41B-14, 49-41B-15, 49-41B-16, 49-41B-17, 49-41B-17.1, 49-41B-19, 49-41B-21, 49-41B-22, and 49-41B-24 and ARSD 20:10:01:15.02, 20:10:01:15.03, 20:10:01:15.06 and 20:10:01:22.02.

The Commission finds that any individual or entity may file a petition to intervene or may comment on the merits of Rapid City Gas' filing on or before April 27, 1998.

The Commission further finds that pursuant to SDCL 49-41B-12, Rapid City Gas is required to deposit with the Commission up to eight thousand dollars (\$8,000) to defray hearing expenses incident to the application. The deposit is to be paid in installments when requested by the Executive Director. It is therefore

ORDERED, that any individual or entity may file with the Commission a petition to intervene or may comment in this matter on or before April 27, 1998; and it is

FURTHER ORDERED, that Rapid City Gas deposit up to eight thousand dollars (\$8,000) with the Commission when requested by the Executive Director; and it is

FURTHER ORDERED, that the Executive Director shall establish a procedural schedule; and it is

FURTHER ORDERED, that the Commission hereby gives notice that the parties to this proceeding are Rapid City Gas and the Commission. Further, each municipality, county and governmental agency in the area where the facility is proposed to be sited; any nonprofit organization, formed in whole or in part to promote conservation; or natural beauty, to protect the environment, personal health or other biological values, to preserve historical sites, to promote consumer interests, represent commercial and industrial groups, or to promote the orderly development of the areas in which the facility is to be sited or any interested person, may be granted party status in this proceeding upon making written application to the Commission. The application shall be on a form provided by the Commission and must be filed with the Commission no later than April 27, 1998; and it is

FURTHER ORDERED, that pursuant to SDCL 49-41B-17.1, a party may receive all material filed in this matter by making a specific request to the Commission for personal service of the material. Absent any such specific request, for the purposes of this proceeding, the Pennington County Auditor is the designated agent for the service of process upon all other parties to this proceeding. A copy of the application will be filed with the Pennington County Auditor as required under SDCL 49-41B-15(5); and it is

FURTHER ORDERED, that the application by Rapid City Gas shall be incorporated herein as if set forth in full.

Dated at Pierre, South Dakota, this 18th day of March, 1998.

CERTIFICATE OF SERVICE	
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.	
By:	<u>Alaine Kalbo</u>
Date:	<u>3/18/98</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Laska Schoenfelder
LASKA SCHOENFELDER, Commissioner