

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

IN THE MATTER OF THE PETITION OF) ORDER DISMISSING PETITION
COMMISSION PIPELINE SAFETY PROGRAM) AND CLOSING DOCKET
MANAGER FOR A DECLARATORY RULING)
REGARDING WHETHER THE CROOKS) PS09-005
MUNICIPAL UTILITIES GAS LINE SHOULD)
BE CLASSIFIED AS A TRANSMISSION OR)
DISTRIBUTION LINE FOR PIPELINE SAFETY)
PURPOSES)

On October 9, 2009, the Commission Pipeline Safety Program Manager filed a petition for a declaratory ruling from the Commission. Specifically, PUC Staff questions whether a line owned and operated by the City of Crooks is properly classified as a transmission line, or whether it should be re-classified as a distribution line.

On October 15, 2009, the Commission electronically transmitted notice of the filing to interested individuals and entities. On October 21, 2009, the Commission received a Petition to Intervene from the City of Garretson (Garretson). On November 5, 2009, the Commission received a Request for Extension from Staff. At its regularly scheduled meeting of November 10, 2009, the Commission granted all Petitions to Intervene and the Request for Extension.

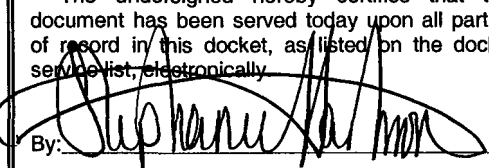
On March 3, 2010, the Commission received a Joint Resolution letter signed by Intervenors City of Garretson and City of Crooks. On March 5, 2010, the Commission received a letter from Commission Staff agreeing that the pending issues are resolved.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapters 1-26 and 49-34A.

At its March 23, 2010, meeting, the Commission considered this matter. Commission Staff recommended dismissing the petition and closing the docket. The Commission voted unanimously to dismiss the petition and close the docket. It is therefore

ORDERED that the petition for declaratory ruling is dismissed and the docket is closed.

Dated at Pierre, South Dakota, this 30th day of March, 2010.

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, electronically.
By: <u></u>
Date: <u>03/30/10</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:


DUSTIN M. JOHNSON, Chairman


STEVE KOLBECK, Commissioner


GARY HANSON, Commissioner