

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

**IN THE MATTER OF THE PETITION FOR)
DECLARATORY RULING OF THE SOUTH)
DAKOTA PUBLIC UTILITIES COMMISSION)
REGARDING 49 CFR 192.3)**

**ORDER GRANTING
INTERVENTION**

PS11-001

On November 18, 2011, the Commission Pipeline Safety Manager and Staff filed a petition for a declaratory ruling from the Commission. Specifically, PUC Staff questions whether a NorthWestern Energy natural gas line should be classified as a transmission line or a distribution line.

On November 24, 2011, the Commission electronically transmitted notice of the filing and the intervention deadline of December 9, 2011, to interested individuals and entities. On November 23, 2011, NorthWestern submitted a Petition to Intervene. On December 6, 2011 its petition was granted. On December, 23, 2011, Montana-Dakota Utilities submitted a late-filed Petition to Intervene to receive documents, submit comments, present testimony, cross examine witnesses and produce evidence to the extent that such actions are required.

The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26 and 49-34B and ARSD 20:10:01:15.05.

At its regularly scheduled meeting of January 3, 2012, the Commission considered the Petition to Intervene. Finding that the Petition to Intervene met the standards of ARSD 20:10:01:15.02 for untimely intervention, the Commission voted unanimously to grant the Petition to Intervene. It is therefore

ORDERED, Montana-Dakota's Petition to Intervene is hereby granted.

Dated at Pierre, South Dakota, this 9th day of January, 2012.

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>Joy King</u>
Date:	<u>11-09-12</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

Gary Hanson
GARY HANSON, Chairman

Chris Nelson
CHRIS NELSON, Commissioner

Kristie Fiegen
KRISTIE FIEGEN, Commissioner