

**THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS**

Before Commissioners: Shari Feist Albrecht, Chair
 Jay Scott Emler
 Dwight D. Keen

In the Matter of the Application of Kansas Gas)
Service, a Division of ONE Gas, Inc., for)
Adjustment of its Natural Gas Rates in the) Docket No. 18-KGSG-560-RTS
State of Kansas.)

ORDER GRANTING INTERVENTION TO WOODRIVER ENERGY, LLC

This matter comes before the State Corporation Commission of the State of Kansas (Commission). Having examined its files and records, and being fully advised in the premises, the Commission finds and concludes as follows:

Background

1. On June 29, 2018, Kansas Gas Service (KGS) filed for a \$45.6 million revenue increase.¹ KGS also seeks to allocate savings from prefunded pension expenses with one-third going to customers and two-thirds to its shareholders.² In addition, KGS is proposing a Revenue Normalization Adjustment to sever the link between its revenue and customer usage, a cybersecurity O&M expense tracker, and a depreciation tracker.³

2. On October 4, 2018, WoodRiver Energy, LLC (WoodRiver), a natural gas marketing company, petitioned to intervene in this docket.⁴ WoodRiver stated it is a Competitive Natural Gas Provider (CNGP) in Kansas.⁵

¹ Application, ¶ 3 (June 30, 2018).

² *Id.*, ¶ 5.

³ *Id.*, ¶ 7.

⁴ Petition to Intervene, ¶ 5 (Oct. 4, 2018).

⁵ *Id.*, ¶ 2.

3. WoodRiver stated that the success of its business enterprise in Kansas depends on KGS rates and regulations.⁶ Moreover, according to WoodRiver, its legal rights and interests may be substantially affected by the order in this docket by virtue of WoodRiver's management of transportation services for end-users on KGS and its gas marketing in territories served by KGS.⁷ WoodRiver claimed it has unique interests in this proceeding that none of the current parties can adequately represent.⁸

Legal Standards

4. The Commission shall grant intervention if the petition: (1) is submitted in writing; (2) states facts demonstrating the petitioner's legal rights, duties, privileges, immunities or other legal interests may be substantially affected by the proceeding or that the petitioner qualifies as an intervenor under any provision of law; and (3) the interests of justice and the orderly and prompt conduct of the proceedings will not be impaired by allowing the intervention.⁹ The Commission has discretion to grant intervention at any time where intervention is in the interests of justice and will not impair the orderly and prompt conduct of proceedings.¹⁰ At any time during a proceeding, the Commission may impose limitations on an intervenor's participation, which may include limiting an intervenor's participation to designated issues in which the intervenor has a particular interest demonstrated by the petition, limiting intervenor discovery, cross-examination and other procedures, and requiring intervenors to consolidate their participation in the proceedings.¹¹

⁶ *Id.*, ¶ 3.

⁷ *Id.*, ¶ 3.

⁸ *Id.*, ¶ 6.

⁹ K.S.A. 77-521(a); K.A.R. 82-1-225(a).

¹⁰ K.S.A. 77-521(b); K.A.R. 82-1-225(b).

¹¹ K.S.A. 77-521(c); K.A.R. 82-1-225(c).

Findings and Conclusions

5. WoodRiver submitted its intervention petition in writing, properly served it pursuant to K.S.A. 77-521(a)(1), and stated facts demonstrating that its legal rights and interests may be substantially affected by this proceeding, pursuant to K.S.A. 77-521(a)(2). The Commission finds that because WoodRiver manages transportation services for KGS end-users and markets gas in KGS territories, its intervention will not impair the interests of justice, nor will its participation impede the orderly and prompt conduct of the proceedings, pursuant to K.S.A. 77-521(a)(3). Thus, the Commission finds that WoodRiver has met the requirements for intervention of K.S.A. 77-521 and K.A.R. 82-1-225, and therefore, should be granted intervention and full participation in all aspects of this docket.

6. WoodRiver will be added to the mailing list. Service of electronic notices, pleadings, testimony, orders, communications, and other documents should be directed to the following:

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THEREFORE, THE COMMISSION ORDERS:

- A. WoodRiver is granted intervention.
- B. Any party may file and serve a petition for reconsideration pursuant to the requirements and time limits established by K.S.A. 77-529(a)(1).¹²
- C. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further orders as it deems necessary.

BY THE COMMISSION IT IS SO ORDERED.

Albrecht, Chair; Emler, Commissioner; Keen, Commissioner

Dated: 10/11/2018



Lynn M. Retz
Secretary to the Commission

MJD

¹² K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

CERTIFICATE OF SERVICE

18-KGSG-560-RTS

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of electronic service on 10/11/2018.

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