

**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. to Cease)
Service as a Natural Gas Utility in a One-Block)
Area of the Southeast Quarter of Section 16,)
Township 27, South Range 1 East in Wichita) Docket No. 19-KGSG-042-CCS
Kansas, Specifically Lots 538 and 542 Located)
On Elm Street, Lots 513, 514, 519, 520, 521, 523)
And 530 Located on North Indiana Street and)
Lots 1210 and 1300 Located on East Central)
Avenue, all within Sedgwick County, Kansas)

ORDER NUNC PRO TUNC CORRECTING ORDER

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (“Commission”) for consideration and determination. Having examined the files, the Commission finds and concludes that:

1. On September 11, 2018, the Commission entered its Order granting Kansas Gas Service’s (KGS) July 30, 2018 Application to cease operating as a natural gas public utility in the territory described as follows:

A one-block area contained within the Southeast Quarter (SE/4) of Section Sixteen (16), Township Twenty-Seven (27) South, Range One (1) East in Wichita, Kansas; specifically, Lots 538 and 542 located on Elm Street, Lots 513, 514, 519, 520, 521, 523 and 530 located on North Indiana Street, and lots 1210 and 1300 located on East Central Avenue, all within Sedgwick County, Kansas.

2. Due to a typo appearing in the title of the pleading and paragraphs 2 and 4 of the September 11, 2018 Order, KGS was incorrectly referred to as an electric public utility instead of a natural gas public utility. Therefore, all references to KGS as an electric public utility in the September 11 Order should be corrected to identify KGS as a “natural gas public utility”.

3. Attached is a copy of pages 1 and 2 of the Order showing the corrected references.

IT IS THEREFORE, BY THE COMMISSION ORDERED:

A. By this Nunc Pro Tunc Order, the Commission corrects its September 11, 2018 Order.

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).¹

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: 09/20/2018



Lynn M. Retz
Secretary to the Commission

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¹ K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

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Avenue, all within Sedgwick County, Kansas)

**ORDER GRANTING APPLICATION TO CEASE TRANSACTING THE BUSINESS OF
A NATURAL GAS PUBLIC UTILITIY**

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (“Commission”) for consideration of determination. Having examined its files and records and being fully advised in the premises, the Commission finds and concludes as follows:

I. BACKGROUND

1. On July 30, 2018, Kansas Gas Service (KGS), a Division of ONE Gas, Inc., filed an Application for Authority to Cease Service (“Application”) as a natural gas utility in a one City block area in Wichita, Kansas. KGS is a natural gas public utility as defined in K.S.A 66-104. A public hearing was neither requested nor held on KGS’s Application.

2. KGS requests the Commission issue an Order granting it the authority to cease operating as a natural gas public utility in the following described territory located in Sedgwick County, Wichita, Kansas, to wit:

A one-block area contained within the Southeast Quarter (SE/4) of Section Sixteen (16), Township Twenty-Seven (27) South, Range One (1) East in Wichita, Kansas;

specifically, Lots 538 and 542 located on Elm Street, Lots 513, 514, 519, 520, 521, 523 and 530 located on North Indiana Street, and lots 1210 and 1300 located on East Central Avenue, all within Sedgwick County, Kansas.

3. This retail territory of the City of Wichita is dually certified to KGS and Black Hills Energy (BHE), and the two companies have mains running parallel to each other.¹ KGS has two residential meters in the area to be abandoned, neither residence is currently receiving natural gas service from KGS, one due to a customer's non-payment and the other residence was abandoned due to fire.² In the event there are customers that need service in the future, BHE has agreed to continue to provide that service.³

4. On August, 27, 2018, Commission Staff ("Staff") submitted its Report and Recommendation, recommending the Commission grant KGS's Application and its request to cease transacting business as a natural gas public utility in the territory described in paragraph 2 above.

II. LEGAL STANDARDS AND DISCUSSION

5. Pursuant to K.S.A. 2017 Supp. 66-131, the Commission has jurisdiction to grant a Certificate to any public utility seeking to transact business in the State of Kansas. K.S.A. 66-1,201 et seq., more specifically, gives the Commission full power, authority and jurisdiction to supervise and control natural gas public utilities and is authorized to do anything necessary and convenient for the exercise of such power, authority and jurisdiction.

6. In Docket 99-KGSG-233-GIG (99-233 Docket), KGS and BHE agree only KGS would serve new customers however, BHE, through an agreement with KGS and Commission approval, may serve customers in the territory described in paragraph 2 above.⁴

¹ Commission Staff's Report and Recommendation, at 2. (Aug. 27, 2018).

² *Id.*

³ *Id.*

⁴ *Id.* at 1.

CERTIFICATE OF SERVICE

19-KGSG-042-CCS

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 09/21/2018.

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