

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

In the Matter of the Application of Kansas Gas )  
Service, a Division of ONE Gas, Inc. for )  
Approval of Its Purchase of Southern Star Central )  
Gas Pipeline, Inc.'s Facilities Used to Furnish ) Docket No: 24-KGSG-237-CON  
Natural Gas Service to Certain Customers and )  
Approval of Customer-Specific Certificates of )  
Public Convenience and Necessity to Serve Said )  
Customers. )

**PETITION FOR INTERVENTION OF THE KANSAS MUNICIPAL GAS AGENCY**

Pursuant to K.S.A. 77-521 and K.A.R. 82-1-225, the Kansas Municipal Gas Agency (KMGA) hereby petitions the State Corporation Commission of the State of Kansas (Commission) for an order granting KMGA's intervention in the above-captioned matter. In support thereof, KMGA states the following:

1. KMGA is a quasi-municipal corporation duly organized under the laws of the State of Kansas,<sup>1</sup> with its principal place of business at 6300 West 95th Street, Overland Park, Kansas 66212. KMGA is authorized to do business and is conducting business in the State of Kansas on behalf of its 51 municipal members. It is authorized by law to exercise its functional powers relating to, in relevant part, the provisioning of natural gas supplies for its member cities, and provides related transportation, storage, and balancing services for those supplies.<sup>2</sup>

2. On September 5, 2023, Kansas Gas Service, a Division of ONE Gas, Inc., (KGS) filed an application seeking approval of an Asset Purchase Agreement (APA) entered into with

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<sup>1</sup> K.S.A. 12-2901 et seq.

<sup>2</sup> KMGA has no employees of its own. Rather, pursuant to K.S.A. 12-2901 et seq., and by virtue of an *Interlocal Cooperation Agreement*, the Kansas Municipal Energy Agency (KMEA) provides management and administrative services to KMGA. All employees providing services to KMGA are employees of KMEA. KMEA is a municipal joint action energy agency duly organized pursuant to K.S.A. 12-885 et. seq.

Southern Star Central Gas Pipeline, Inc (Southern Star). In the Application, KGS explained that “Southern Star has been engaged in an ongoing effort to eliminate ownership and operation of domestic meters” on the Southern Star system.<sup>3</sup>

3. KGS sent a notice about the APA and the initiation of this proceeding to affected customers. As part of this initiative, a notice was sent to the City of Humboldt, Kansas (City). The City is a member city of KMGA, for which KMGA provides services relating to the City’s natural gas supply. KMGA began making inquiries into the reasoning behind why the City would have received notice regarding the transaction between KGS and Southern Star relating to domestic meters.

4. As part of the inquiry, KMGA learned that one of the meters listed in the APA, which is served by the City, was erroneously included in the list of assets. The location of the meter is upstream from the City, but it is nevertheless a City meter point that should not have been included in the APA because the meter in question is part of the City’s firm transportation and storage agreement with Southern Star.

5. Corrections to the APA need to be made to reverse this error. Likely, corrections also need to be made at FERC with respect to the authorities granted in FERC Docket No. CP23-484-000. The purpose of this intervention is to ensure that the Commission is aware of the situation and can direct KGS and Southern Star to take the appropriate action to address the error.

6. K.S.A. 77-521 provides, in part, that petitions for intervention shall be granted if “the petition states facts demonstrating that the petitioner’s legal rights, duties, privileges, immunities or other legal interests may be substantially affected by the proceeding or that the

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<sup>3</sup> Application, p.2, ¶4.

petitioner qualifies as an intervener under any provision of law... and... the presiding officer determines that the interests of justice and the orderly and prompt conduct of the proceedings will not be impaired by allowing the intervention.” Further, the Commission has discretion to allow intervention “at any time upon determining that the intervention sought is in the interests of justice and will not impair the orderly and prompt conduct of the proceedings.”<sup>4</sup>

7. KMGA will or may be bound by any order issued by this Commission and may be substantially affected by the outcome of this proceeding or portions thereof. Further, KMGA’s interests herein are not adequately represented by any other party to this proceeding.

8. KMGA notes that no procedural schedule has yet been set in this matter and posits that its intervention will not disrupt or impair the orderly and prompt conduct of the proceedings. Moreover, KMGA’s intervention is in the interests of justice because KMGA and at least one of its member cities is directly affected by this proceeding.

9. All pleadings, orders, notices, communications, and other documents relating to this matter should be served on the undersigned counsel, and on the individual(s) listed below:

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<sup>4</sup> K.S.A. 77.521(b).

WHEREFORE, KMGGA respectfully requests the Commission issue an order granting KMGGA intervention in this proceeding, and for any and all other such relief the Commission deems just and proper.

Respectfully Submitted,

*/s/ Terri Pemberton*

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Terri Pemberton (#23297)

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**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing *Petition of Intervention of Kansas Municipal Gas Agency* was electronically served on this 17<sup>th</sup> day of November 2023, to the following named persons appearing on the Commission’s service list last modified on September 22, 2023:

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*Terri Pemberton*  
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