

BEFORE THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS

In the Matter of the Application of Kansas Service, a )  
Division of ONE Gas, Inc.'s Submission of its ) Docket No. 25-KGSG-316-CON  
Insurance Policy Agreement with Utility Insurance )  
Company, Pursuant to K.S.A. 66-1402. )

**PETITION TO INTERVENE AND MOTION FOR PROTECTIVE ORDER,  
DISCOVERY ORDER AND ORDER ASSESSING COST**

COMES NOW, the Citizens' Utility Ratepayer Board ("CURB") and petitions the Corporation Commission of the State of the Kansas ("Commission") for intervention in the above-captioned case pursuant to K.S.A. 66-1223 and K.S.A. 77-521(a). In support of its petition and motion, CURB states and alleges as follows:

1. On February 11, 2025, Kansas Gas Service, a Division of ONE Gas, Inc. ("Kansas Gas Service") filed an application with the Kansas Corporation Commission submitting its Insurance Policy Agreements with Utility Insurance Company ("UIC"), an affiliated company of Kansas Gas Service, pursuant to K.S.A. 66-1402.

2. CURB is composed of five volunteer board members.<sup>1</sup>

3. CURB has specific statutory authority to "represent residential and small commercial ratepayers before the state corporation commission"<sup>2</sup> and to "function as an *official intervenor in cases* filed with the state corporation commission."<sup>3</sup> CURB's authority and role as the official intervenor in cases filed with the Commission has been recognized by the Kansas Supreme Court.<sup>4</sup>

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<sup>1</sup> K.S.A. 66-1222(a).

<sup>2</sup> K.S.A. 66-1223(a).

<sup>3</sup> K.S.A. 66-1223(b).

<sup>4</sup> K.S.A. 66-1223(b). See, *Citizens' Utility Ratepayer Board v. Kansas Corporation Comm'n*, 24 Kan. App.2d 63, 68, rev. den. 262 Kan. 959 (1997) ("*CURB v. KCC*"). See also, *Farmland Industries, Inc. v. Kansas Corp. Comm'n*, 29 Kan.App.2d 1031, 1047-48, 37 P.3d 640 (2001) ("The bulk of current customers otherwise entitled to receive refunds are *statutorily represented* by CURB. See K.S.A. 66-1223(a)")

CURB also has specific statutory authority to seek judicial review of Commission orders and decisions on behalf of residential and small commercial ratepayers.<sup>5</sup>

4. CURB's express statutory authority referenced above reflects the intent of the Legislature that CURB should participate in cases filed with the Commission. This fulfills the requirement under K.S.A. 77-521(a)(2) because CURB "qualifies as an intervener under any provision of law."

5. The residential and small commercial ratepayers whose interests CURB represents will be bound by any Commission order or activity in this proceeding. The rates paid and the services received by residential and small commercial ratepayers may be substantially affected by any Commission order or activity in this proceeding with respect to Kansas Gas Service's proposed Insurance Policy Agreements with UIC, as described in the application.

6. The representation of CURB's interests in this proceeding by existing parties is inadequate. No other party to this proceeding is authorized to (a) specifically represent residential and small commercial ratepayers before the Commission, (b) function as the statutory official intervenor in cases filed with the Commission, or (c) seek judicial review of Commission orders and decisions on behalf of residential and small commercial ratepayers. While Commission Staff may have authority to investigate, evaluate, testify and offer exhibits on behalf of the *general public* pursuant to a definition contained in a Commission regulation,<sup>6</sup> Staff does not specifically represent residential and small commercial ratepayers and is expressly denied the right to appeal Commission orders.<sup>7</sup>

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<sup>5</sup> K.S.A. 66-1223.

<sup>6</sup> Staff's authority to represent the general public is not specifically authorized by statute, but merely referenced in the definition section of Commission regulations. K.A.R. 82-1-204(q) ("Technical staff may conduct investigations and otherwise evaluate issues raised, and may testify and offer exhibits on behalf of the *general public*." ) (emphasis added).

<sup>7</sup> K.A.R. 82-1-204(i)(3).

7. Accordingly, CURB has a substantial and vital interest in the outcome of this proceeding which cannot be adequately represented by any other party. Pursuant to K.S.A. 77-521(a)(2), CURB qualifies as an intervenor (a) under provision of law and (b) because the rights, duties, privileges, immunities, or other legal interests of residential and small commercial ratepayers may be substantially affected by this proceeding.<sup>8</sup>

8. CURB's requested intervention is in the interests of justice and will not impair the orderly and prompt conduct of the proceedings.<sup>9</sup>

9. CURB therefore requests that the Commission grant CURB's Petition to Intervene and participate fully in this docket, including but not limited to the right to conduct discovery, file pleadings and testimony, present oral argument, and fully participate in any scheduled hearings.

10. In addition to undersigned counsel, please include the following CURB representatives with all electronic notices, pleadings, and correspondence regarding this Application as follows:

Shonda Rabb  
Public Service Administrator  
Citizens' Utility Ratepayer Board  
1500 SW Arrowhead Road  
Topeka, KS 66604  
Email: [shonda.rabb@ks.gov](mailto:shonda.rabb@ks.gov)

Della Smith  
Senior Administrative Specialist  
Citizens' Utility Ratepayer Board  
1500 SW Arrowhead Road  
Topeka, KS 66604  
Email: [della.smith@ks.gov](mailto:della.smith@ks.gov)

11. Discovery responses may contain confidential information. CURB is requesting the Commission issue a Protective Order and Discovery Order in this docket to allow CURB and its consultant access to the full information contained in this filing. CURB is requesting an Order Assessing Cost in this docket.

WHEREFORE, CURB respectfully requests the Commission grant its Petition for

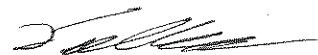
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<sup>8</sup> K.S.A. 77-521(a)(2).

<sup>9</sup> K.S.A. 77-521(a)(3).

Intervention and Motion for Protective Order, Discovery Order and Order Assessing Cost in this  
Docket.

Respectfully submitted,



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Joseph R. Astrab, Consumer Counsel #26414  
Todd E. Love, Attorney #13445  
Citizens' Utility Ratepayer Board  
1500 SW Arrowhead Road  
Topeka, KS 66604  
(785) 271-3200  
[joseph.astrab@ks.gov](mailto:joseph.astrab@ks.gov)  
[todd.love@ks.gov](mailto:todd.love@ks.gov)



**CERTIFICATE OF SERVICE**

25-KGSG-316-CON

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing document was served by electronic service on this 13<sup>th</sup> day of February, 2025, to the following:

JAMES G. FLAHERTY, ATTORNEY  
ANDERSON & BYRD, L.L.P.  
216 S HICKORY  
PO BOX 17  
OTTAWA, KS 66067  
[jflaherty@andersonbyrd.com](mailto:jflaherty@andersonbyrd.com)


JANET BUCHANAN, DIRECTOR OF RATES AND REGULATORY REPORTING  
KANSAS GAS SERVICE, A DIVISION OF ONE GAS, INC.  
7421 W 129TH STREET  
OVERLAND PARK, KS 66213  
[janet.buchanan@onegas.com](mailto:janet.buchanan@onegas.com)

ROBERT E. VINCENT, MANAGING ATTORNEY  
KANSAS GAS SERVICE, A DIVISION OF ONE GAS, INC.  
7421 W. 129TH STREET  
OVERLAND PARK, KS 66213  
[robert.vincent@onegas.com](mailto:robert.vincent@onegas.com)

STEPHANIE FLEMING, LEGAL ASSISTANT  
KANSAS GAS SERVICE, A DIVISION OF ONE GAS, INC.  
7421 W. 129TH STREET  
OVERLAND PARK, KS 66213  
[stephanie.fleming@onegas.com](mailto:stephanie.fleming@onegas.com)

PATRICK HURLEY, CHIEF LITIGATION COUNSEL  
KANSAS CORPORATION COMMISSION  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604  
[patrick.hurley@ks.gov](mailto:patrick.hurley@ks.gov)

CARLY MASENTHIN, LITIGATION COUNSEL  
KANSAS CORPORATION COMMISSION  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604  
[carly.masenthin@ks.gov](mailto:carly.masenthin@ks.gov)

  
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Della Smith  
Senior Administrative Specialist