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 Complaint Against Black

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In the Matter of the Complaint Against Black
Hills Energy by Oklahoma Energy Source,
LLC.

Docket No. 18-BHCG-103-COM

ORDER GRANTING PRO HAC VICE

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission). Having reviewed its files and records, and being fully advised in the premises, the Commission makes the following findings:

- 1. On August 31, 2017, Oklahoma Energy Source, LLC (Complainant) filed a Formal Complaint (Complaint) against Black Hills Energy. LLC (Black Hills). The Complainant alleged that Black Hills' credit requirements for third party shippers limits the Complainant's ability to compete for bids and the requirement is not included in Black Hills' tariff.¹
- 2. On September 21, 2017, Commission Staff (Staff) filed its Legal Memorandum in this docket. Staff recommended the Commission find the Complaint satisfied the procedural requirements for formal complaints found in K.A.R. 82-1-220 and established a *prima facie* case for action by the Commission, and further recommended the Complaint be served upon Black Hills for an answer.² On December 7, 2017, the Commission issued an Order Accepting Formal Complaint and Adopting Staff's Memorandum.

¹ Formal Complaint at Att. (Aug. 31, 2017).

² Memorandum at 2-3 (Sep. 21, 2017).

- 3. On May 24, 2018, Black Hills, by and through counsel, James G. Flaherty, pursuant to Supreme Court Rule 116, filed a motion and affidavit in support of admission *pro hac vice* for Dari R. Dornan to appear and participate as co-counsel for Black Hills in this proceeding.
- 4. The Motion and affidavit stated that Dari R. Dornan would act as counsel with Mr. Flaherty and is a licensed attorney in good standing in the states of Nebraska and Louisiana. The Motion and affidavit provided that Dari R. Dornan has never been suspended, disbarred or resigned as a result of a disciplinary charge, investigation, or proceeding from the practice of law in any jurisdiction.
- 5. The Commission finds that Dari R. Dornan has met the requirements of Supreme Court Rule 116 and shall be granted admission *pro hac vice* in this docket and will be added to the mailing list, and electronic service of pleadings, communications, and correspondence should be delivered as follows:

Dari R. Dornan
Associate General Counsel
Black Hills Corporation
1102 East 1st Street
Papillion, NE 68046
dari.dornan@blackhillscorp.com

THEREFORE, THE COMMISSION ORDERS:

- A. Black Hills' motion is granted and Dari R. Dornan is granted admission *pro hac vice* in this proceeding.
- 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).³
- C. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further orders, as necessary.

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³ K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

BY THE COMMISSION IT IS SO ORDERED.

Albrecht, Chair; Emler, Commissioner;	Keen, Commissioner
06/07/2018	
Dated:	

Lynn M. Retz

Secretary to the Commission

Lynn M. Ret

DLK/sc

CERTIFICATE OF SERVICE

18-BHCG-103-COM

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	06/07/2018

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/S/ DeeAnn Shupe

DeeAnn Shupe