

BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

In the Matter of the Application of Evergy Kansas Central,)
Inc. and Evergy Kansas South, Inc. for Approval to Make) Docket No. 25-EKCE-294-RTS
Certain Changes in their Charges for Electric Service.)

PETITION FOR INTERVENTION

Kansas Gas Service, a Division of One Gas, Inc. ("Kansas Gas Service") and Black Hills/Kansas Gas Utility Company, LLC, d/b/a Black Hills Energy ("Black Hills Energy") (collectively, the "Gas Utilities"), file this Petition for Intervention in the captioned docket pursuant to K.A.R. 82-1-225.

I. BACKGROUND

1. The Gas Utilities are natural gas public utilities operating in the State of Kansas pursuant to certificates of convenience and necessity issued by the State Corporation Commission of the State of Kansas ("Commission").

2. The certificated service territories of the Gas Utilities overlap the service territory of Evergy Kansas Central and Evergy Kansas South (collectively "EKC"). Therefore, the Gas Utilities have an interest in competitive pricing rate structures, rate designs and EKC tariff provisions that require gas space and water heating customers to pay more for electric service than customers using electricity for space and water heating.

3. Kansas Gas Service was granted intervention by the Commission in EKC's 2023 rate case.¹ In that rate case, Kansas Gas Service argued that evidence had been presented at the hearing demonstrating that EKC had created an unreasonably discriminatory rate design in which customers were being forced to unfairly subsidize the substantial discounted rates provided to customers who used

¹23-EKCE-775-RTS ("775 Docket"), Order dated June 1, 2023 in 7755 Docket.

electricity for space heating and water heating. Kansas Gas Service also argued that EKC's own class cost of service study showed the unfair subsidization created by the discounted rates provided to the all-electric customers and showed how EKC's proposed rate design was contrary to conservation and energy efficiency policies of the Commission and was against public interest.

4. In the present rate case, EKC proposes a rate design that, if approved, could again provide discounts to promote space and water heating so that EKC's customers, who are generally the Gas Utilities' heating customers, will be forced to unfairly subsidize the discounted rates provided to customers who use electricity for space and water heating. Said subsidy violates the touchstone rule of public utility law that one sub-class of customers shall not be burdened with costs created by another sub-class of customers, *Jones v. Kansas Gas and Electric Co.*, 222 Kan. 390, 401, 565 P.2d 597 (1977), and unlawfully impacts the competitive balance between electricity and natural gas service.

II. INTERVENTION

5. The Gas Utilities are seeking permission to intervene in the current EKC rate case for the same reasons Kansas Gas Service was granted intervention in the 775 Docket. The Gas Utilities seek to intervene to present evidence and argument concerning the rates EKC propose for space and water heating and to highlight the negative impact these rate structures have on customers who use natural gas for space and water heating and require them to pay higher electric rates for electric service during the colder parts of the year.

6. As a provider of gas service to space heating and water heating customers, who also use electricity, the Gas Utilities' legal rights, duties, privileges, immunities, or other legal interests will be substantially affected by this proceeding as was demonstrated in the 775 Docket.

7. No party other than the Gas Utilities can adequately and efficiently represent its interests in this proceeding.

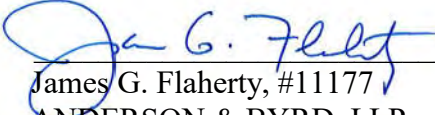
8. Kansas Gas Service requests electronic service of all pleadings, orders, and other

documents in the above-entitled proceeding and agrees to receive all service, pleadings, testimony, briefs, and orders by electronic service without hard copy follow up as required by K.A.R. 82-1-216(a)(6) at the following email addresses: James G. Flaherty, jflaherty@andersonbyrd.com; Janet L. Buchanan, janet.buchanan@onegas.com; Lorna M. Eaton, lorna.eaton@onegas.com and Robert E. Vincent, robert.vincent@onegas.com.

9. Black Hills Energy requests electronic service of all pleadings, orders, and other documents in the above-entitled proceeding and agrees to receive all service, pleadings, testimony, briefs, and orders by electronic service without hard copy follow up as required by K.A.R. 82-1-216(a)(6) at the following email addresses: James G. Flaherty, jflaherty@andersonbyrd.com; Robert W. Daniel, rob.daniel@blackhillscorp.com; Nick Smith, nick.smith@blackhillscorp.com and Douglas J. Law, douglas.law@blackhillscorp.com.

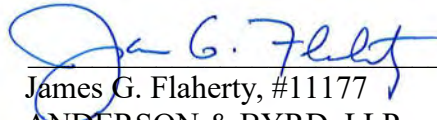
10. Granting intervention to the Gas Utilities in this docket is in the interest of justice and will not impair the orderly and prompt conduct of the proceedings in this matter.

WHEREFORE, the Gas Utilities respectfully request they be granted intervention in this docket, and for such other relief as the Commission deems appropriate.


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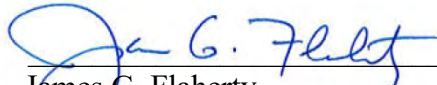
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VERIFICATION

STATE OF KANSAS, FRANKLIN COUNTY, ss:

James G. Flaherty, of lawful age, being first duly sworn on oath, states: That he is an attorney for the Gas Utilities; that he has read the above and foregoing Petition for Intervention, knows the contents thereof; and that the statements contained therein are true.


James G. Flaherty

SUBSCRIBED AND SWORN to before me this 24th day of March, 2025.





Notary Public

Appointment/Commission Expires:

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing was sent via United States mail, postage prepaid, or electronic mail this 24th day of March, 2025, addressed to:

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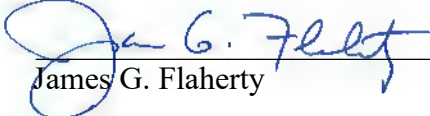
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