

BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

In the Matter of the Joint Application of the Gas)
Utilities for a Waiver to the Commission’s)
Electric and Natural Gas Utilities’ Billing) Docket No. 24-GIMG-453-GIG
Standards Related to Allow for a Permanent)
Discontinuance of the Knock and Collect)
Provision in Said Billing Standards.)

PETITION TO INTERVENE IN SUPPORT OF APPLICATION

Pursuant to K.A.R. 82-1-225, Black Hills/Kansas Gas Utility Company, LLC d/b/a Black Hills Energy (“Black Hills”) hereby files this Petition to Intervene in Support of Application in the above-captioned matter. In support of its Petition, Black Hills alleges and states the following:

1. On December 15, 2023, Atmos Energy Corporation and Kansas Gas Service filed a Joint Application (“Application”) in Docket 24-GIMG-453-GIG requesting “an order from the Kansas Corporation Commission [“Commission”] granting a permanent waiver to the Commission’s Electric and Natural Gas Utility Billing Standards [“Billing Standards”] to allow for a discontinuance of the knock and collect requirement” (Application at p.1).
2. Black Hills is a limited liability company with its principal place of business in Kansas located at 601 N. Iowa Street, Lawrence, Kansas 66044. Black Hills is duly authorized to transact business in the State of Kansas, holds appropriate certificates from the Commission to transact business as a natural gas public utility and is now and has been engaged in the purchase, transmission, sale and distribution of natural gas in the State of Kansas in accordance with the laws of said state and the rules and regulations of the

Commission. Black Hills serves approximately 118,000 customers in 68 communities and in 48 surrounding counties in Kansas.

3. While not a party to the Application, Black Hills is a natural gas utility that operates within Kansas and is thus subject to the referenced Billing Standards. Therefore, any Commission Order stemming from this Application may have an impact on Black Hills' daily operations.
4. Black Hills' interests in this proceeding are also not adequately represented by any other party, and therefore Black Hills' intervention is in the interests of justice. Black Hills' intervention will not impair the prompt conduct of the proceeding. Black Hills does not request to file written testimony at this time or otherwise delay proceedings as already scheduled in this proceeding. Therefore, the orderly and prompt conduct of the proceedings will not be impaired by allowing the intervention.
5. Pursuant to K.S.A. § 77-521,¹ "the presiding officer shall grant a petition for intervention" if the petition meets the following requirements: (1) the petition is "submitted in writing to the presiding officer, with copies served upon all parties named in the presiding officer's notice of hearing, at least three business days before the hearing";² (2) 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"; and (3) "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." *Id.* § 77-521(a)(1)-(3). The statute further states that "[t]he presiding

¹ See Kan. Stat. Ann. § 66-1,204 ("Hearings [in investigations initiated by the Commission] shall be conducted in accordance with the provisions of the Kansas administrative procedure act, unless, in the case of a general investigation, for good cause, the commission orders otherwise.")

² Black Hills meets this standard as no hearing has currently been scheduled in this proceeding.

- officer may grant a petition for 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.” Id. § 77-521(b).
6. For the reasons stated above, Black Hills has met the intervention standards set forth in K.S.A. § 77-521(a) and should be granted intervention in this matter.
 7. Moreover, the Commission has broad discretion to grant permissive intervention pursuant to K.S.A. § 77-521(b), which permits the presiding officer to “grant a petition for 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.” For the reasons stated above, Black Hills’ intervention is in the interests of justice and will not impair the orderly and prompt conduct of the proceedings. Black Hills has met the permissive intervention standards set forth in K.S.A. § 77-52(b) and should be granted intervention in this matter.
 8. All communications and correspondence to Black Hills, including service of notices and orders of the Commission herein are requested to be sent to the following names:

Douglas Law
Associate General Counsel
Black Hills/Kansas Gas Utility Company, LLC
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Nick Smith
Manager – Regulatory
Black Hills/Kansas Gas Utility Company, LLC
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9. Black Hills supports the Application in this proceeding. For the reasons presented by Applicants, Black Hills also believes that the Commission should now grant a permanent waiver to the Commission's Billing Standards to allow for a discontinuance of the knock and collect requirement.

Dated this 30th day of January, 2024.

Respectfully submitted,

/s/ Douglas J. Law

Douglas J. Law
KS Bar # 29118

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CERTIFICATE OF SERVICE

Docket No. 24-GIMG-453-GIG

I, the undersigned certify that a true and correct copy of the foregoing was served via electronic service this 30th day of January, 2024 to the following:

Michael L. Springer, President 4 Rivers Electric Cooperative, Inc. 2731 Milo Terrace Lebo, KS 66856 Michael.springer@4riverselectric.com	Greg Goetz, General Manager & CEO Alfalfa Electric Cooperative, Inc. 121 E. Main Street, P.O. Box 39 Cherokee, OK 73728-0039 ggoetz@aec.coop
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/s/ Douglas J. Law
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