

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

Before Commissioners: Shari Feist Albrecht, Chair
 Jay Scott Emler, Commissioner
 Pat Apple, Commissioner

In the Matter of the Application of Black Hills/Kansas Gas Utility)
Company, LLC d/b/a Black Hills Energy, for a Certificate of)
Convenience and Authority to Transact the Business of a Natural) 14-BHCG-424-COC
Gas Public Utility in the State of Kansas. Section 12, Township)
34 South, Range 34 West, Seward County, Kansas)

CERTIFICATE

NOW, the above-captioned matter comes on for consideration and determination by the State Corporation Commission of the State of Kansas ("Commission"). Having examined its files and records, and being fully advised in the premises, the Commission finds and concludes as follows:

1. On March 18, 2014 Black Hills/Kansas Gas Utility Company, LLC, d/b/a Black Hills Energy ("Applicant") filed an application seeking a Certificate of Convenience and Authority to provide natural gas service to a portion of Seward County, Kansas as required by K.S.A. 2012 Supp. 66-131. Applicant is a natural gas public utility as defined by K.S.A. 2012 Supp. 66-104. A public hearing was neither requested nor held on the instant application.

2. Specifically, Applicant requests a Certificate in the territory described as follows:

SEWARD COUNTY

Section 12, Township 34 South, Range 34 West

3. Public convenience will be promoted by allowing Applicant to provide natural gas service in the territory described in paragraph 2 above. The application, therefore, should be

granted and a Certificate issued to Applicant in accordance with the provisions of K.S.A. 2012 Supp. 66-131.

IT IS, THEREFORE, BY THE COMMISSION CONSIDERED AND CERTIFIED:

A. The application filed herein is granted and Black Hills/Kansas Gas Utility Company, LLC, d/b/a Black Hills Energy is permitted to transact the business of a natural gas public utility in the territory described in Finding No. 2 herein.


B. A party may file a petition for reconsideration of this Order within fifteen (15) days from the date of service of this Order. If service is by mail, service is complete upon mailing, and three (3) days shall be added to the above time frame. K.S.A. 66-118b; K.S.A. 2012 Supp. 77-529.

C. The Commission retains jurisdiction of the subject matter and parties for the purpose of entering such further order or orders as it may deem necessary.

BY THE COMMISSION IT IS SO CERTIFICATED.

Albrecht, Chair; Emler, Com.; Apple, Com.

Dated: APR 17 2014


ORDER MAILED APR 18 2014
Kim Christiansen
Executive Director

gdd

Utilities Division
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Shari Feist Albrecht, Chair
Jay Scott Emler, Commissioner
Pat Apple, Commissioner

Sam Brownback, Governor

**REPORT AND RECOMMENDATION
UTILITIES DIVISION**

TO: Chair Sheri Feist Albrecht
Commissioner Jay Scott Emler
Commissioner Pat Apple

FROM: Gary Dawdy, Utility Engineer II
Michael Wegner, Chief of Energy Operations
Jeff McClanahan, Director of Utilities

DATE: April 7, 2014

APR 8 2014

DATE SUBMITTED TO LEGAL: _____

DATE SUBMITTED TO COMMISSIONERS: 04-11-14

SUBJECT: 14-BHCG-424-COC
In the Matter of the Application of Black Hills/Kansas Gas Utility Company, LLC d/b/a Black Hills Energy, for a Certificate of Convenience and Authority to Transact the Business of a Natural Gas Public Utility in the State of Kansas. Section 12, Township 34 South, Range 34 West, Seward County, Kansas

BACKGROUND:

Black Hills/Kansas Gas Utility Company, LLC, dba Black Hills Energy (Black Hills) filed this Application for Certificate for one section of natural gas territory located in Seward County. The customer requesting the natural gas service is requesting the service for irrigation purposes.

ANALYSIS:

Pursuant to K.S.A. 2012 Supp. 66-131, the Commission has jurisdiction to grant a certificate to a public utility seeking to transact business in the State of Kansas.

The statutory standard of review in this matter is whether the "public convenience will be promoted by the transaction of said business and permitting said applicants to transact the business of a common carrier or public utility in this state." K.S.A. 2012 Supp. 66-131.

Black Hills advises in the Application that an irrigation customer, currently using natural gas from a local well to fuel two engines, has requested natural gas from Black Hills. There are no other natural gas utilities of the same classification as Black Hills now operating in the area being requested in this Application.

The Commission action date is September 14, 2014.

RECOMMENDATION:

Staff is recommending the Application for Certificate in 14-BHCG-424-COC be granted.

APR 17 2014

KANSAS CORPORATION COMMISSION
KIM CHRISTIANSEN, EXECUTIVE DIRECTOR

DOCKET NO.: 14-BHCG-424-COC

ORDER DATE:

NAME AND ADDRESS

NO. OF
COPIES

James G. Flaherty, Attorney
ANDERSON & BYRD, L.L.P.
216 S Hickory
PO Box 17
Ottawa, KS 66067

ORDER MAILED APR 18 2014

The Docket Room hereby certifies that on _____, a true and correct copy of the attached was deposited in the United States Mail, postage prepaid, addressed to the above persons.