

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) 15-BHCG-458-COC
gas public utility in the State of Kansas.)
Section 27, Township 33 South, Range 38 West, Stevens 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 April 2, 2015 Black Hills/Kansas Gas Utility Company, LLC, dba Black Hills Energy ("Applicant") filed an application seeking a Certificate of Convenience and Authority to provide natural gas service to a portion of Stevens County, Kansas as required by K.S.A. 2014 Supp. 66-131. Applicant is an natural gas public utility as defined by K.S.A. 2014 Supp. 66-104. A public hearing was neither requested nor held on this application.

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

STEVENS COUNTY

Section 27, Township 33 South, Range 38 West

3. Public convenience will be promoted by allowing Applicant to provide natural gas service in the territory described in Finding No. 2 above. The application, therefore, should

be granted and a Certificate issued to Applicant in accordance with the provisions of K.S.A. 2014 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, dba Black Hills Energy is permitted to transact the business of a natural gas public utility in the territory described in Finding No. 2 herein.

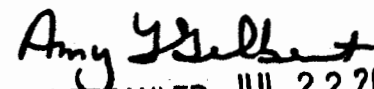
B. A party may file a petition for reconsideration of this Order within fifteen (15) days from the date of service of this Order. If service is by mail, service is complete upon mailing, and three (3) days shall be added to the above time frame. K.S.A. 66-118b; K.S.A. 2014 Supp. 77-529.

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, Commissioner; Apple, Commissioner

Dated: JUL 21 2015


ORDER MAILED JUL 22 2015

Amy L. Gilbert
Secretary

gdd

Utilities Division
1500 SW Arrowhead Road
Topeka, KS 66604-4027



Phone: 785-271-3165
Fax: 785-271-3357
<http://kcc.ks.gov/>

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

Sam Brownback, Governor

REPORT AND RECOMMENDATION UTILITIES DIVISION

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

FROM: Gary Dawdy, Utility Engineer II
Leo Haynos, Chief Engineer
Jeff McClanahan, Director of Utilities

DATE: July 13, 2015

SUBJECT: 15-BHCG-458-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 27, Township 33 South, Range 38 West, Stevens County, Kansas.

BACKGROUND:

On April 2, 2015, Black Hills/Kansas Gas Utility Company, LLC, d/b/a Black Hills Energy (Black Hills) filed an Application for Certificate of Convenience in Docket No. 15-BHCG-458-COC.

ANALYSIS:

Pursuant to K.S.A. 2014 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. 2014 Supp. 66-131.

Black Hills has been approached by a potential irrigation customer requesting natural gas service in one section of natural gas territory located in Stevens County. Midwest Energy, Inc. (Midwest) is currently certificated in the section being requested by Black Hills. Midwest has been provided notice and has no objection to Black Hills’ request for certificate in this Application.

Staff recommends that the Commission find that public convenience will be promoted by the granting of this Application.

The Commission action date is September 29, 2015.

RECOMMENDATION:

Staff is recommending that Black Hills' Application for Certificate in 15-BHCG-458-COC be granted.

PLEASE FORWARD THE ATTACHED DOCUMENT (S) ISSUED IN THE ABOVE-REFERENCED DOCKET
TO THE FOLLOWING:

NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
JAMES G. FLAHERTY, ATTORNEY ANDERSON & BYRD, L.L.P. 216 S HICKORY PO BOX 17 OTTAWA, KS 66067		
ANDREW FRENCH, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD RD TOPEKA, KS 66604-4027 ***Hand Delivered***		

ORDER MAILED JUL 22 2015

The Docket Room hereby certified that on this _____ day of _____, 20_____, it caused a true and correct copy of the attached ORDER to be deposited in the United States Mail, postage prepaid, and addressed to the above persons.