

**THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS**

Before Commissioners: Andrew J. French, Chairperson
 Dwight D. Keen
 Annie Kuether

In the Matter of the Application of Black)
Hills/Kansas Gas Utility Company, LLC d/b/a)
Black Hills Energy for Approval of its)
Purchase of Farm Tap Domestic Meter) Docket No. 24-BHCG-652-ACQ
Facilities Used to Service Certain Customers)
From Southern Star and the Approval of)
Revisions to Tariff Language of Storm URI)
Charges for New Acquisitions)

ORDER ACKNOWLEDGING EXTENSION OF TIME

NOW, the above-captioned matter comes before the State Corporation Commission of the State of Kansas (“Commission”). Having reviewed its files and records, the Commission makes the following findings:

I. Background

1. On March 29, 2024, Black Hills/Kansas Gas Utility Company, LLC, d/b/a Black Hills Energy (“Black Hills”) filed an Application requesting approval of the transfer of certain assets, customers and accounts related to farm taps from Southern Star Central Gas Pipeline, Inc. (“Southern Star”) to Black Hills under an Asset Purchase Agreement (“APA”) executed between Black Hills and Southern Star to issue customer-specific certificates of convenience and necessity for Black Hills to serve these farm tap customers.¹

¹ Black Hills Energy Application for Acquisition and Tarif Revision, p. 1 (Mar. 29, 2024) (Application).

2. Per K.S.A. 66-131, which prescribes a 300-day clock for acquisition proceedings before the Commission, the statutory deadline for a Commission Order in this matter is January 23, 2025.

3. On January 13, 2025, Black Hills filed a Motion requesting the Commission extend the issuance of its Order by sixty (60) days to allow Black Hills to resolve a dispute related to the transfer of farm tap customers currently served by Kansas Gas Service, a division of ONE Gas, Inc. (“KGS”) and to allow Commission Staff sufficient time to issue its Report and Recommendation.²

4. The request to extend the timeline for decision on the acquisition was not opposed by either Commission Staff or CURB.

II. Analysis and Findings

5. The Commission is given full power, authority, and jurisdiction to supervise and control the natural gas public utilities doing business in Kansas, and is empowered to do all things necessary and convenient for the exercise of such power, authority and jurisdiction.³

6. The Commission is empowered to grant extensions, at its discretion, for good cause shown.⁴ K.S.A. 66-131(c) allows the Commission and the applicant in an acquisition proceeding to waive or extend the 300-day period.

7. The Applicant’s request is authorized by K.S.A. 66-131(c) and is unopposed. Therefore, the Commission grants Black Hills’s Motion. The Commission hereby declares the statutory deadline for a Commission Order, previously set for January 23, 2025, has been waived and is superseded by Applicant’s request for extension by sixty (60) days, to March 24, 2025.

² Black Hills/Kansas Gas Utility Company, LLC d/b/a Black Hills Energy’s Motion to Extend Statutory Deadline, p. 1 (Jan. 13, 2025).

³ K.S.A. 66-1,201.

⁴ See K.A.R. 82-1-217(b).

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. Joint Applicants' request for extension is granted. A Commission Order shall be issued in this docket on or before March 24, 2025.

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).⁵

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Kuether, Commissioner.

Dated: 01/23/2025



Lynn M. Retz
Executive Director

CRM

⁵ K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

CERTIFICATE OF SERVICE

24-BHCG-652-ACQ

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of
electronic service on 01/23/2025.

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