

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

In the Matter of the Complaint Against)
Kansas Gas Service, a Division of ONE Gas, Inc.)
Respondent,)
)
For an Order for Adjustment and Refund of)
Unfair, Unreasonable and Unjust rates based on)
false and erroneous charges and tariffs)
assessed on General Sales Service by Kansas Gas) Docket No. 24-KGSG-252-COM
Service of natural gas improperly premised on)
recovery of extraordinary costs purportedly incurred)
related to a Winter Storm Uri in February 2021.)
)
By Pinebrooke Condominium Subdivision)
Association, Inc. and its member residents.)
Complainants)

COMPLAINTS' PETITION FOR RECONSIDERATION

COME NOW Complainants, Pinebrooke Condominium Subdivision Association, Inc., and its member residents (hereafter, the "Pinebrooke") and pursuant to K.S.A. 66-118b, K.S.A. 77-529 and K.A.R. 82-1-235, file their Petition for Reconsideration of the December 28, 2023 Order on Amended Complaint (hereafter "Final Order") of the Corporation Commission of the State of Kansas (hereafter the "KCC" or the "Commission") and allege, state and submit the following.

1. The Final Order permits Kansas Gas Service hereafter "KGS") a regulated gas utility, to engage in a practice of invoicing and billing Pinebrooke for amounts purported to be justified by extraordinary costs incurred during the Winter Storm Uri in February 2021 which are duplicative, unjust, unreasonably discriminatory, and unduly


preferential, thus unlawful and void pursuant to K.S.A. § 66-1,203 and K.S.A. § 66-1-206.

2. The Final Order entered herein and this Petition for Reconsideration is justified in that the Final Order renders the representations, findings and terms of the Commission's own orders premised on the existence of extraordinary costs incurred irrelevant and false.
3. The Final Order disregards the factual premises of the Settlement Agreement in the underlying docket and labels the absence of any Qualified Extraordinary Costs as to Pinebrooke as "immaterial".
4. In addition to the finding that the duplicative charges are "immaterial," an erroneous finding of fact and law, the Final Order purports to cite terms of the Financing Order that "the Uri surcharge applies to *all* retail customers regardless of whether and how much cost was caused by an individual customer." The Final Order references page 71 of the Financing Order, which contains no such language and cannot be construed to extend the surcharge to all past present and future retail customers. There is no language in any of the underlying references which extend the charges to beyond a Securitized Utility Tariff Charge premised on the issuance of "Securitized Bonds to finance the Qualified Extraordinary Costs incurred due to the Winter Storm Uri". The very language of the cited Order ties the surcharge to "Qualified Extraordinary Costs incurred due to the Winter Storm Uri."
5. Based on the inconsistencies, erroneous citations and erroneous legal holdings, the Final Order is arbitrary and capricious, contrary to law, internally inconsistent and an

abdication of the duties of the Commission to regulate practices which are duplicative, unjust, unreasonably discriminatory, and unduly preferential.

6. To the extent that the Securitization Act or WESCR Tariff result in or could be held to authorize the duplicitous and discriminatory terms of KGS's invoices charging the WESCR Tariff, they deprive Pinebrooke of vested rights under its service contract with Symmetry; illegally result in a retroactive violation of a judicial function, deprive Pinebrooke of due process of law and in all respects constitute unfair, unjust and discriminatory rates.

Now therefore:

Complainants Petition the Commission to reconsider the Final Order and enter relief  consistent with their Amended Complaint.

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CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of January 2024, the above and foregoing
Petition for Reconsideration was filed electronically with the Kansas Corporation
Commission by the E Filing Express, and copies served by email to:

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