

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

In the Matter of a General Investigation)
Updating the Certificates of Convenience and)
Necessity Issued to Kansas Gas Service, a)
Division of ONE Gas, Inc., and Black) Docket No. 25-GIMG-114-GIG
Hills/Kansas Gas Utility Company, LLC d/b/a)
Black Hills Energy in Cowley, Sedgwick,)
Sumner, Reno, and Rice Counties to Provide)
Natural Gas Service)

**MOTION FOR EXTENSION AND MODIFICATION OF
THE PROCEDURAL SCHEDULE**

COMES NOW the Staff of the State Corporation Commission of the State of Kansas (“Staff” and “Commission,” respectively), and respectfully requests an extension of time to file a Report and Recommendation (“R&R”) regarding the service issue pertaining to territory annexed by the City of Goddard. In support of its Motion, Staff states as follows:

1. On August 12, 2024, Staff filed a R&R requesting the Commission initiate a general investigation to update the Certificates of Convenience and Necessity (“COC”) issued to Kansas Gas Service, a Division of ONE Gas, Inc. (“KGS”) and Black Hills/Kansas Gas Utility Company, LLC, d/b/a Black Hills Energy (“Black Hills”) in Cowley, Sedgwick, Sumner, Reno, and Rice counties, and to resolve the current service dispute in the territory annexed by the City of Goddard in 2009.¹ On October 22, 2024, the Commission opened a general investigation into these issues.² Within this Order, the Commission granted KGS and Black Hills 60 days to address service issues pertaining to the territory annexed by the City of Goddard (“Goddard dispute”).³ The Commission

¹ Notice of Filing of Staff’s Report and Recommendation (Aug. 12, 2024) (Staff’s Initial R&R).

² Order Opening General Investigation and Setting Comment Deadlines (Oct. 22, 2024) (Order Opening Investigation).

³ Order Opening Investigation, p. 4.

ordered Staff to submit an R&R regarding its analysis of the issue within thirty (30) days after KGS and Black Hills filed comments.⁴ KGS and Black Hills filed comments on December 23, 2024. Staff's deadline to submit an R&R is currently January 23, 2025. The Commission indicated that it would issue an Order on the Goddard dispute within (30) days after the filing of Staff's R&R.⁵

2. Commission Staff has received the comments filed by KGS and Black Hills and is diligently working on completing its analysis. However, Staff has been delayed in this process due to the holidays, several inclement weather days, and work required for the 2025 Legislative Session. Staff respectfully requests the Commission grant an additional thirty (30) days for Staff to complete its R&R on this matter.

3. Staff recognizes the Commission also set a schedule for an investigation into a second issue: what metes-and-bounds descriptions for the certificate seams should be, along with the possibility of a buffer zone around the cities that currently have natural gas service ("metes-and-bounds dispute").⁶ The Commission requested KGS and Black Hills submit comments on the metes-and-bounds dispute within 120 days after Staff's Initial R&R.⁷ To alleviate what may otherwise become a compressed schedule, Staff proposes additional thirty (30) day extensions on the remainder of the deadlines in the Commission's Order Opening Investigation. For convenience, Staff has populated a proposed procedural schedule that reflects its requested modifications. Staff hereby respectfully presents the following Procedural Schedule to govern the proceeding until April 21, 2025, when, after discussion with KGS and Black Hills, Staff will submit further dates for Commission consideration to govern the metes-and-bounds dispute.

⁴ Order Opening Investigation, p. 4.

⁵ *Id.*

⁶ *Id.*

⁷ *Id.*

Action	Date
Staff Report and Recommendation on City of Goddard Annexed Territory (“Goddard dispute”)	Monday, February 24, 2025
Commission Order on Goddard dispute	Wednesday, March 26, 2025
KGS and Black Hills comments on metes-and-bounds dispute	Friday, March 21, 2025 (150 days after the Order Opening Investigation)
Commission Staff to file Proposed Procedural Schedule on metes-and-bounds issue	Monday, April 21, 2025

4. Staff has communicated with counsel for KGS and Black Hills in advance of this filing, and neither entity opposes Staff’s Motion.

WHEREFORE, Staff respectfully requests the Commission accept its request for a thirty (30) day extension on its obligation to file an R&R on the Goddard dispute, from January 23, 2025, to February 24, 2025, and also accept Staff’s proposal to modify the Procedural Schedule.

Respectfully submitted,

/s/ Carly R. Masenthin
Carly R. Masenthin, S. Ct. #27944
Senior Litigation Counsel
Kansas Corporation Commission
1500 SW Arrowhead Rd
Topeka, KS 66604
Phone (785) 271-3361
Email: Carly.Masenthin@ks.gov

CERTIFICATE OF SERVICE

25-GIMG-114-GIG

I, the undersigned, certify that a true copy of the attached Motion has been served to the following by means of electronic service on January 22, 2025.

AARON BAILEY, ASSISTANT GENERAL COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
aaron.bailey@ks.gov

JANET BUCHANAN, DIRECTOR OF RATES &
REGULATORY
KANSAS GAS SERVICE, A DIVISION OF ONE GAS, INC.
7421 W 129TH STREET
OVERLAND PARK, KS 66213
janet.buchanan@onegas.com

DOUGLAS LAW, ASSOCIATE GENERAL COUNSEL
BLACK HILLS/KANSAS GAS UTILITY COMPANY, LLC
D/B/A BLACK HILLS ENERGY
1731 WINDHOEK DRIVE
LINCOLN, NE 68512
douglas.law@blackhillscorp.com

CARLY MASENTHIN, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
carly.masenthin@ks.gov

NICK SMITH, MANAGER OF KANSAS REGULATION
BLACK HILLS ENERGY CORPORATION
601 North Iowa Street
Lawrence, KS 66044
nick.smith@blackhillscorp.com

ROBERT E. VINCENT, MANAGING ATTORNEY
KANSAS GAS SERVICE, A DIVISION OF ONE GAS, INC.
7421 W. 129TH STREET
OVERLAND PARK, KS 66213
robert.vincent@onegas.com

/S/ Kiley McManaman

Kiley McManaman