

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

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 FACILITIES USED TO SERVICE) DOCKET NO. 24-BHCG-652-ACQ
CERTAIN CUSTOMERS FROM)
SOUTHERN STAR AND THE APPROVAL)
OF REVISIONS TO TARIFF LANGUAGE)
ON STORM URI CHARGES FOR NEW) LICENSE NO. 32446
ACQUISTIONS)
_____)
)

PETITION TO INTERVENE

COMES NOW, Southern Star Central Gas Pipeline, Inc. (“Southern Star”) and petitions the Corporation Commission of the State of the Kansas (“Commission”) for intervention in the above captioned case pursuant to K.S.A. § 77-521(a). In support of its petition and motion, Southern Star states and alleges as follows:

1. On March 29, 2024, Black Hills/Kansas Gas Utility Company, LLC, d/b/a Black Hills Energy (“Black Hills”) filed an application requesting the Kansas Corporation Commission (“Commission”) approve 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 and to issue customer-specific certificates of convenience and necessity for Black Hills to serve these farm tap customers (“Application”). Black Hills also requests that the Commission approve additional language within Black Hills’ tariff that would exempt newly acquired customers, meeting certain criteria, from the Storm Uri Gas Charge.

2. The exact name of the petitioner is Southern Star Central Gas Pipeline, Inc. Its principal place of business is 4700 State Route 56, Owensboro, Kentucky 42301. Southern Star is a corporation organized and existing under the laws of the State of Delaware.

3. Southern Star is a natural gas company, as defined in Section 1(b) of the Natural Gas Act, and is engaged in the business of transporting and storing natural gas in interstate commerce under authorizations granted by the Federal Energy Regulatory Commission (“FERC”).

4. Southern Star is the counter-party of the APA which forms the basis of Black Hills’ Application pending before the Commission. Certain conditions contingent on Commission approval are found in both the APA and FERC’s approval to abandon by sale the 273 domestic meters by order issued February 28, 2024, in Docket Number CP24-22-000 (“FERC Order”).¹ Therefore, Southern Star may be bound by any Commission order or activity in this proceeding. In short, the transaction between Southern Star and Black Hills may not proceed without Commission approval.

5. Thus, Southern Star’s rights to proceed with this transaction with Black Hills under both the APA and the FERC Order may be substantially affected by any Commission order or activity in this proceeding with respect to the proposed approval of the APA, including any conditions which may be included in any Commission order.

6. Further, no other party to this proceeding is authorized to (a) specifically represent Southern Star before the Commission, or (b) seek judicial review of Commission orders and decisions on behalf of Southern Star.

7. Accordingly, Southern Star has a substantial interest in the outcome of this proceeding which cannot be adequately represented by any other party. Pursuant to K.S.A. § 77-

¹ See 186 FERC 62,094.

521(a)(2), Southern Star qualifies as an intervenor because its rights, duties, privileges, immunities, or other legal interests may be substantially affected by this proceeding.

8. Pursuant to K.S.A. § 77-521(a)(2), Southern Star’s requested intervention in the interests of justice and will not impair the orderly and prompt conduct of these proceedings.

9. Southern Star therefore requests that the Commission grant its Petition to Intervene and participate in this docket, including but not limited to the right to participate in discovery, file pleadings and testimony, present oral argument, and fully participate in any scheduled hearings.

WHEREFORE, Southern Star respectfully requests the Commission grant its Petition to Intervene in this Docket.

Respectfully submitted,

MARTIN, PRINGLE, OLIVER, WALLACE
& BAUER, L.L.P.

By: /s/William R. Griffin
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VERIFICATION

STATE OF KANSAS)
) ss:
COUNTY OF COUNTY)


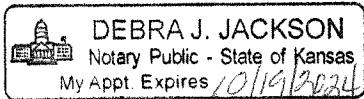
William R. Griffin, of lawful age, being first duly sworn on oath, states:

That he is the attorney for Southern Star Central Gas Pipeline, Inc., named in the foregoing Petition to Intervene and is duly authorized to make this affidavit; that he has read the foregoing and knows the contents thereof; and that the facts set forth therein are true and correct.



William R. Griffin

SUBSCRIBED AND SWORN to before me this 17th day of May, 2024.



Notary Public
My Appointment Expires: 10/19/2024

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing was sent via electronic mail this 17th day of May, 2024, addressed to:

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