

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

In the Matter of the Investigation into Black Hills)
Kansas Gas Utility Company d/b/a Black Hills)
Energy Regarding the February 2021 Winter) Docket No. 21-BHCG-334-GIG
Weather Events, as Contemplated by Docket No. 21-)
GIMX-303-MIS)

In the Matter of the Application of Black Hills)
Kansas Gas Utility Company, LLC d/b/a Black Hills) Docket No. 21-BHCG-370-MIS
Energy, for Waiver of Tariff)

STAFF'S MOTION TO CONSOLIDATE

The Staff of the State Corporation Commission of the State of Kansas (Staff and Commission, respectively) hereby moves to consolidate Docket No. 21-BHCG-334-GIG (Docket 21-334) and Docket No. 21-BHCG-370-MIS (Docket 21-370). In support thereof, Staff states the following:

1. On March 9, 2021, the Commission opened Docket 21-334 to investigate the effects of the February 2021 Winter Weather Event on Black Hills Kansas Gas Utility Company, LLC d/b/a Black Hills Energy (Black Hills). The Commission intended to analyze any extraordinary costs incurred during the event, and consider Black Hills' plans to minimize the financial impact of the event on ratepayers in a company-specific docket.

2. On March 23, 2021, in Docket 21-370, Black Hills filed an Application for a temporary waiver of certain penalty provisions in its tariff pertaining to transportation customers because the amounts charged to Black Hills from Federal Energy Regulatory Commission (FERC) regulated pipelines were unknown. This temporary waiver was granted on April 22, 2021.

3. On May 28, 2021, in Docket 21-370, Black Hills filed a Motion to waive the aforementioned penalty provisions entirely, without prejudice. Black Hills asserted that it had only been assessed minor penalties from FERC regulated pipelines and that Black Hills did not incur a net increase in costs during the event on behalf of transportation customers that would be recovered from its sales customers. Therefore, it would be in the transportation customers' best interest not to be charged the daily penalties related to Operational Flow Order (OFO) days or System Overrun or Critical Days and the Unauthorized Delivery Charge in its tariff.

4. It is Staff's view that the waiver request from Docket 21-370 should be handled in conjunction with the investigation in Docket 21-334. Waiver of penalties for transportation customers and the possible impacts to sales customers from their practices or Black Hills' practices during the Winter Weather Event are matters of investigation in Docket 21-334. Staff has already conducted extensive discovery into these topics in Docket 21-334 and there are other intervenors in Docket 21-334 that may be interested in these topics or have critical information regarding these topics that are not parties to Docket 21-370.

5. K.A.R. 82-1-224(b) allows the Commission to consolidate two or more dockets for hearing on a common record if the Commission deems it to be in the public interest to do so.

6. Staff has contacted Black Hills and Black Hills has authorized Staff to represent that it has no objection to this Motion.

WHEREFORE, Staff respectfully requests the Commission consolidate Docket No. 21-BHCG-334-GIG and Docket No. 21-BHCG-370-MIS.

Respectfully submitted,

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CERTIFICATE OF SERVICE

21-BHCG-334-GIG

I, the undersigned, certify that a true and correct copy of the above and foregoing Staff's Motion to Consolidate was served via electronic service this 25th day of June, 2021, to the following:

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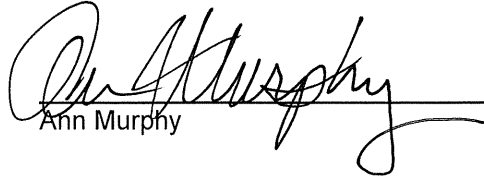
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21-BHCG-370-MIS

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