

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

Before Commissioners: Shari Feist Albrecht, Chair
 Jay Scott Emler
 Dwight D. Keen

In the Matter of the Application of Kansas Gas)
Service, a Division of ONE Gas, Inc., for)
Approval of a Privatization Contract)
Establishing the Terms, Conditions, Rates, and) Docket No. 19-KGSG-194-CON
Charges for Ownership and Operation of the)
Natural Gas Distribution System Serving Fort)
Riley, Kansas, and for Approval of the)
Proposed Accounting Treatment for the)
System.

ORDER GRANTING CURB'S PETITION TO INTERVENE

NOW, the above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. Having reviewed its files and records and being duly advised in the premises, the Commission makes the following findings:

1. On November 13, 2018, Kansas Gas Service filed a letter with the Commission requesting the Commission approve a privatization contract between Kansas Gas Service (KGS) and the Defense Logistics Agency Energy (DLAE).¹ This contract establishes the terms, conditions, rates, charges, and costs for KGS's ownership and operation of the natural gas distribution system at Fort Riley, Kansas.² KGS also requests the Commission approve the proposed accounting treatment for the privatized system.³

2. On November 15, 2018, the Citizens' Utility Ratepayer Board (CURB) filed its Petition to Intervene⁴, citing that its statutory authority to represent residential and small

¹ Application of Kansas Gas Service (Nov. 13, 2018) (Application).

² *Id.*

³ *Id.*

⁴ CURB's Petition to Intervene (Nov. 15, 2018) (Petition).

commercial customers may be substantially affected by any order or activity of the Commission in this proceeding. Specifically, CURB states that the residential and small commercial ratepayers will be bound by any Commission order or activity regarding Kansas Gas Service's proposed privatization contract, which establishes the terms, conditions, rates, and charges for ownership and operation of the natural gas distribution system serving Fort Riley, Kansas, and for approval of the proposed accounting treatment for the privatized system.

3. The Commission has broad discretion to grant a petition for intervention if it is in the interest of justice, if the intervention allows for the orderly and prompt conduct of the proceedings to continue unimpaired, and if the party seeking intervention has factually demonstrated that its legal rights, duties, privileges, immunities, or other legal interests may be substantially affected by the proceeding.⁵

4. The Commission finds CURB has demonstrated an interest in this proceeding and meets the above requirements to intervene in this proceeding. Therefore, pursuant to K.S.A. 77-521, the Commission grants CURB's Petition.

5. CURB will be added to the official service list. Service of pleadings, communications, and correspondence should be directed to counsel of record and CURB's other designees, as follows:

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⁵ K.S.A. 77-521; K.A.R. 82-1-225.

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THEREFORE, THE COMMISSION ORDERS:

- A. CURB's Petition is granted pursuant to K.S.A. 77-521.
- 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).⁶
- C. The Commission retains jurisdiction over the subject matter and parties for the purpose of issuing such further order, or orders, as it may deem necessary.

BY THE COMMISSION IT IS SO ORDERED.

Albrecht, Chair; Emler, Commissioner; Keen, Commissioner

Dated: 11/27/2018



Lynn M. Retz
Secretary to the Commission

CRM

⁶ K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

CERTIFICATE OF SERVICE

19-KGSG-194-CON

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of electronic service on 11/27/2018.

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CERTIFICATE OF SERVICE

19-KGSG-194-CON

DeeAnn Shupe