

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

Before Commissioners: Jay Scott Emler, Chairman
Shari Feist Albrecht
Pat Apple

In the Matter of the Application of Black)
Hills/Kansas Gas Utility Company, LLC, d/b/a)
Black Hills Energy, to Amend its Service Fees) Docket No. 16-BHCG-591-TAR
Tariff to Reduce Fees Charged by Vendor for)
Credit, Debit and ATM Card Payments.)

SUSPENSION ORDER; ORDER GRANTING INTERVENTION

This matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. Having examined its files and records, and being duly advised in the premises, the Commission makes the following findings and conclusions:

I. BACKGROUND

1. On June 28, 2016, Black Hills/Kansas Gas utility Company, LLC, d/b/a Black Hills Energy (Black Hills) filed its Application seeking to amend its service fees tariff to reduce fees charged by Black Hills' vendors for credit, debt and ATM card payments.¹

II. SUSPENSION ORDER

2. Pursuant to K.S.A. 66-117, a public utility over which the Commission has jurisdiction cannot make effective any changed rate, joint rate, toll, charge or classification or schedule of charges, or any rule or regulation or practice pertaining to the service of a public utility except by filing with the Commission. The Commission may suspend the effective date of a public utility's application while the Commission conducts its investigation of the public utility's proposal.²

¹ See Application, pp. 1-2 (Jun. 28, 2016).

² See K.S.A. 66-117(a).

3. The Commission has determined that Commission Staff (Staff) will need additional time to fully investigate the Application, and suspension is required to allow sufficient time for Staff's review and investigation of this matter. Although the Commission reserves the full 240 days, the Commission recognizes the need for efficient use of its resources. The Commission directs Staff to strive to complete its Report and Recommendation as expeditiously as possible.

4. A full investigation of the Application, which may result in a hearing, is deemed necessary and proper. The Commission finds and concludes that suspension of the Application and deferral of its effective date are required to allow sufficient time for a full investigation of this matter. The Application shall be suspended for a period of 240 days from the date the application was filed, June 28, 2016, until Thursday, February 23, 2017, pursuant to K.S.A. 66-117(c).

III. CURB INTERVENTION

5. On June 30, 2016, the Citizens' Utility Ratepayer Board (CURB) filed its Petition to Intervene, citing its statutory authority to represent residential and small commercial ratepayers. CURB explains the rates paid by and the services received by residential and small commercial customers may be substantially affected by this proceeding.³

6. The Commission finds and concludes CURB has demonstrated an interest in this proceeding. Therefore, pursuant to K.S.A. 77-521, the Commission grants CURB's Petition for Intervention.

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

³ See CURB's Petition to Intervene, p. 2 (Jun. 30, 2016).

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IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. The Application is suspended for a period of 240 days from the date it was filed until February 23, 2017.

B. The parties have fifteen days, plus three days if service is by mail, from the date the order was served in which to petition the Commission for reconsideration of any issues decided herein.⁴

C. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further orders as it may deem necessary.

BY THE COMMISSION IT IS SO ORDERED.

JUL 12 2016

Emler, Chairman; Albrecht, Commissioner, Apple, Commissioner



Amy L. Green
Secretary to the Commission

REV

Order Mailed Date

JUL 13 2016

⁴ K.S.A. 66-118b; K.S.A. 2015 Supp. 77-529(a)(1).

CERTIFICATE OF SERVICE

16-BHCG-591-TAR

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of

first class mail/hand delivered on JUL 12 2016.

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Order Mailed Date

JUL 13 2016