

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

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

In the Matter of the Application of Black Hills/Kansas Gas Utility)
Company, LLC, d/b/a Black Hills Energy, for a Certificate of)
Convenience and Authority to Transact the Business of a Natural) 15-BHCG-311-COC
Gas Public Utility in the State of Kansas. Section 34, Township)
24 South, Range 31 West, Finney County, Kansas.)

CERTIFICATE

NOW, the above-captioned matter comes on for consideration and determination by the State Corporation Commission of the State of Kansas ("Commission"). Having examined its files and records, and being fully advised in the premises, the Commission finds and concludes as follows:

1. On January 21, 2015, Black Hills/Kansas Gas Utility Company, LLC, dba Black Hills Energy ("Applicant") filed an application seeking a Certificate of Convenience and Authority to provide natural gas service in a portion of Finney County, Kansas as required by K.S.A. 2013 Supp. 66-131. Applicant is a natural gas public utility as defined by K.S.A. 2013 Supp. 66-104. A public hearing was neither requested nor held on this application.

2. Specifically, Applicant requests a Certificate in the territory described as follows:

FINNEY COUNTY

Section 34, Township 24 South, Range 31 West

3. Public convenience will be promoted by allowing Applicant to provide natural gas service in the territory described in Finding No. 2 above. The application, therefore, should

be granted and a Certificate issued to Applicant in accordance with the provisions of K.S.A. 2013 Supp. 66-131.

IT IS, THEREFORE, BY THE COMMISSION CONSIDERED AND CERTIFIED:

A. The application filed herein is granted and Black Hills/Kansas Gas Utility Company, LLC, dba Black Hills Energy is permitted to transact the business of a natural gas public utility in the territory described in Finding No. 2 herein.

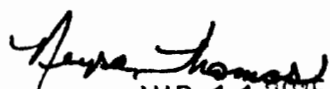
B. A party may file a petition for reconsideration of this Order within fifteen (15) days from the date of service of this Order. If service is by mail, service is complete upon mailing, and three (3) days shall be added to the above time frame. K.S.A. 66-118b; K.S.A. 2013 Supp. 77-529.

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

BY THE COMMISSION IT IS SO CERTIFICATED.

Albrecht, Chair.; Emler, Commissioner; Apple, Commissioner

Dated: MAR 10 2015


ORDER MAILED MAR 11 2015
Neysa Thomas
Acting Secretary

gdd

**REPORT AND RECOMMENDATION
UTILITIES DIVISION**

TO: Chair Shari Feist Albrecht
Commissioner Jay Scott Emler
Commissioner Pat Apple

FROM: Gary Dawdy, Utility Engineer II
Leo Haynos, Chief Engineer
Jeff McClanahan, Director of Utilities

DATE: March 3, 2015

SUBJECT: 15-BHCG-311-COC
In the Matter of the Application of Black Hills/Kansas Gas Utility Company, LLC, d/b/a Black Hills Energy, for a Certificate of Convenience and Authority to Transact the Business of a Natural Gas Public Utility in the State of Kansas. Section 34, Township 24 South, Range 31 West, Finney County, Kansas.

BACKGROUND:

Black Hills/Kansas Gas Utility Company, LLC, dba Black Hills Energy (Black Hills), filed this Application for Certificate for a section of natural gas territory located in Finney County. The customer requesting the natural gas service is requesting the service for irrigation purposes.

ANALYSIS:

Pursuant to K.S.A. 2013 Supp. 66-131, the Commission has jurisdiction to grant a certificate to a public utility seeking to transact business in the State of Kansas.

The statutory standard of review in this matter is whether the "public convenience will be promoted by the transaction of said business and permitting said applicants to transact the business of a common carrier or public utility in this state." K.S.A. 2013 Supp. 66-131.

Black Hills advises in the Application that an irrigation customer has requested natural gas service. The new service will be off ONEOK Gathering. The customer is aware of potential deliverability issues. The customer does not wish to participate in a distribution gas main extension project. There are no other natural gas utilities now operating in the area being requested in this Application.

Staff recommends that the Commission find that the public convenience will be promoted by the expansion of Black Hills' Certificate.

The Commission action date is July 20, 2015.

RECOMMENDATION:

Staff is recommending the Application for Certificate in 15-BHCG-311-COC be granted.

MAR 10 2015

KANSAS CORPORATION COMMISSION
NEYSA THOMAS, ACTING EXECUTIVE DIRECTOR

DOCKET NO.: 15-BHCG-311-COC

ORDER DATE:

NAME AND ADDRESS

NO. OF
COPIES

James G. Flaherty, Attorney
ANDERSON & BYRD, L.L.P.
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Ottawa, KS 66067

ORDER MAILED MAR 11 2015

The Docket Room hereby certifies that on _____, a
true and correct copy of the attached was deposited in the United States Mail, postage prepaid,
addressed to the above persons.