

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

Before Commissioners: Susan K. Duffy, Chair
Dwight D. Keen
Andrew J. French

In the Matter of Application of Kansas Gas)
Service, a Division of ONE Gas, Inc. for) Docket No. 23-KGSG-719-TAR
Approval of Revisions to Certain Tariffs)
Controlling Transportation Service)

**ORDER GRANTING KMGA’S PETITION TO INTERVENE; ORDER DESIGNATING
PRESIDING OFFICER**

This matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. Having reviewed the pleadings and record, the Commission makes the following findings:

1. On March 31, 2023, Kansas Gas Service, a Division of ONE Gas, Inc. (KGS) filed an Application for Approval of Revisions to Certain Tariffs Controlling Transportation Service.

2. On April 6, 2023, the Kansas Municipal Gas Agency (KMGA) filed a Petition to Intervene, explaining that it operates on the behalf on its member cities as a “transportation customer” on the KGS systems and takes service under the subject tariffs,¹ and therefore, may be bound by or substantially affected by the outcome of this proceeding.²

3. The Commission has broad discretion to grant a petition for intervention if it is in the interest of justice, if the intervention will not impair the orderly and prompt conduct of the proceedings, and if the party has stated facts demonstrating its legal rights, duties and privileges, immunities or other legal interests may be substantially affected by the proceeding.³ Furthermore,

¹ Petition for Intervention of the Kansas Municipal Gas Agency, Apr. 6, 2023, ¶ 2.

² *Id.*, ¶ 4.

³ K.S.A. 77-521; K.A.R. 82-1-225.

at any time during a proceeding, the Commission may impose limitations on an intervenor's participation.⁴

4. The Commission finds and concludes that KMGGA has met the requirements of K.A.R. 82-1-225 and K.S.A. 77-521(b), and should be granted intervention in this Docket. KMGGA will be added to the mailing list, and electronic service of pleadings, communications, and correspondence should be delivered to counsel of record:

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5. The Commission may designate a presiding officer to conduct prehearing conferences to address any matters appropriately considered in a prehearing conference, including all items listed in K.S.A. 77-517(b) of the Kansas Administrative Procedure Act (KAPA). Accordingly, the Commission designates Brian G. Fedotin, General Counsel, 1500 SW Arrowhead Road, Topeka, KS 66604, telephone number (785) 271-3105, b.fedotin@kcc.ks.gov, as Presiding Officer in this proceeding.⁵ The Commission may designate other staff members to serve in this capacity.

⁴ K.S.A. 77-521(c).

⁵ K.S.A. 77-514; K.S.A. 77-516; K.S.A. 77-551.

THEREFORE, THE COMMISSION ORDERS:

- A. KMGA's Petition to Intervene is granted.
- B. Brian G. Fedotin, General Counsel, is designated Presiding Officer in this Docket.
- C. Electronic service shall be used in this proceeding, including this Order. This order

is procedural and constitutes non-final agency action.⁶

BY THE COMMISSION IT IS SO ORDERED.

Duffy, Chair; Keen, Commissioner; French, Commissioner

Dated: 04/11/2023



Lynn M. Retz
Executive Director

BGF

⁶ K.S.A. 77-607(b)(2).

CERTIFICATE OF SERVICE

23-KGSG-719-TAR

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 04/11/2023.

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