

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

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

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

ORDER GRANTING ADMISSION OF ALEX GOLDBERG PRO HAC VICE

This matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. The Commission finds as follows:

1. On February 15, 2021, pursuant to K.S.A. 77-536(a), the Commission issued an Emergency Order directing all jurisdictional natural gas and electric utilities to coordinate efforts and take all reasonably feasible, lawful, and appropriate actions to ensure adequate transportation of natural gas and electricity to interconnected, non-jurisdictional Kansas utilities.¹ The Commission authorized every electric and natural gas distribution utility that incurs extraordinary costs associated with ensuring its customers, or the customers of interconnected Kansas utilities that are non-jurisdictional to the Commission, continue to receive utility service during this weather event to defer those costs to a regulatory asset account.²

2. On February 26, 2021, BlueMark Energy, LLC (BlueMark) filed its Petition to Intervene, and Mr. Jeff Austin entered his appearance on behalf of BlueMark.³

3. On March 9, 2021, the Commission ordered each utility to file its plan to minimize the financial effects of this cold weather event into its respective company-specific

¹ Docket 21-GIMX-303-MIS (21-303 Docket), Emergency Order, Ordering Clause, ¶ A (Feb. 15, 2021).

² *Id.*, Ordering Clause, ¶ C.

³ 21-303 Docket, Petition to Intervene (Feb. 26, 2021).

investigation docket.⁴ The Commission also granted BlueMark's Petition to Intervene in part. Because BlueMark's interests are limited to Kansas Gas Service and Black Hills, the Commission permitted BlueMark to intervene in the 21-KGSG-332-GIG and 21-BHCG-334-GIG Dockets.⁵

4. On March 11, 2021, Mr. Austin, an attorney in good standing and licensed to practice law in the State of Kansas, filed a Motion for Admission of Alex Goldberg *Pro Hac Vice* as attorney on behalf of BlueMark, under Kansas Supreme Court Rule 116. Mr. Austin states he will sign all pleadings and other papers filed with the Commission and will be actively engaged in the case and present for all appearances, to the extent required by the Commission. The motion includes Mr. Goldberg's verified application for admission *pro hac vice* as required by Rule 116.

5. The Applicant, Mr. Goldberg verifies he is in good standing and licensed to practice law in Oklahoma and Colorado. The Applicant is not currently, nor has he ever been, the subject of public discipline, including but not limited to suspension of disbarment, in any jurisdiction. The verified application lists Mr. Goldberg's address as 1104 E. 21st Place, Tulsa, Oklahoma 74114.

6. The Commission finds Mr. Goldberg has met the requirements of Rule 116 and grants Mr. Goldberg admission *pro hac vice* to appear on behalf of BlueMark. Mr. Goldberg shall be added to the mailing list, with service of electronic notes, pleadings, testimony, orders, communications, and other documents directed to the following:

⁴ 21-303 Docket, Order Adopting Staff's Report and Recommendation to Open Company-Specific Investigations; Order on Petitions to Intervene of BlueMark Energy, LLC, and CURB; Protective and Discovery Order, Ordering Clause ¶ A (Mar. 9, 2021).

⁵ *Id.*, Ordering Clause, ¶ C.

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THEREFORE, BY THE COMMISSION IT IS ORDERED THAT:

A. Mr. Alex Goldberg is granted admission *pro hac vice* on behalf of BlueMark Energy, LLC.

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Duffy, Commissioner

Dated: 03/30/2021



Lynn M. Retz
Executive Director

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CERTIFICATE OF SERVICE

21-BHCG-334-GIG

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 03/30/2021.

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CERTIFICATE OF SERVICE

21-BHCG-334-GIG

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/S/ DeeAnn Shupe

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