THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

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

In the Matter of the Application of Black Hills/Kansas Gas Utility Company, LLC, d/b/a Black Hills Energy Seeking Commission Approval for Ad Valorem Tax Surcharge Rider Tariff Adjustments for 2018.

Docket No. 18-BHCG-249-TAR

ORDER GRANTING CURB'S PETITION TO INTERVENE

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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 and conclusions:

1. On December 13, 2017, Black Hills/Kansas Gas Utility Company, LLC, d/b/a Black Hills Energy (Black Hills) filed an Application with the Commission for approval of its trueup of Ad Valorem Tax Surcharge for 2017 and for approval of its adjustment to the 2018 surcharge to be credited to Black Hills' sales and transportation customers.¹

2. On December 15, 2017, 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.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

¹ See Application for Black Hills Energy 2018 Ad Valorem Tax Surcharge Rider Tariff, (Dec. 13, 2017).

² CURB's Petition to Intervene, ¶ 5 (Dec. 15, 2017).

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

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

5. 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:

David W. Nickel, Consumer Counsel, #11170 Thomas J. Connors, Attorney, #27039 Todd E. Love, Attorney, #13445 Citizens' Utility Ratepayer Board 1500 SW Arrowhead Road Topeka, KS 66604 <u>d.nickel@curb.kansas.gov</u> <u>tj.connors@curb.kansas.gov</u> t.love@curb.kansas.gov

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THEREFORE, THE COMMISSION ORDERS:

- A. CURB's Petition to Intervene is granted pursuant to K.S.A. 77-521.
- B. Parties have 15 days, plus three days if service is by mail, from the date of service

of this Order to petition the Commission for reconsideration or request a hearing, as provided in

K.S.A. 77-542.⁴

³ K.S.A. 77-521; K.A.R. 82-1-225.

⁴K.S.A. 77-537(b); K.S.A. 66-118b; K.S.A. 77-529(a)(1).

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

BY THE COMMISSION IT IS SO ORDERED.

Apple, Chairman; Albrecht, Commissioner; Emler, Commissioner

Dated: _____ DEC 2 1 2017

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Lynn M. Retz Secretary to the Commission

REV/vj

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CERTIFICATE OF SERVICE

18-BHCG-249-TAR

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 DEC 2 1 2017

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/S/ DeeAnn Shupe DeeAnn Shupe

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