

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

Before Commissioners: Andrew J. French, Chairperson
 Dwight D. Keen
 Annie Kuether

In the Matter of the Application of Black)
Hills/Kansas Gas Utility Company, LLC, d/b/a)
Black Hills Energy, for Approval of its) Docket No. 24-BHCG-652-ACQ
Purchase of Farm Tap Domestic Meter)
Facilities Used to Service Certain Customers)
from Southern Star and the Approval of)
Revisions to Tariff Language on Storm Uri)
Charges for New Acquisitions)

ORDER GRANTING SOUTHERN STAR'S PETITION TO INTERVENE

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 29, 2024, Black Hills/Kansas Gas Utility Company, LLC, d/b/a Black Hills Energy (“Black Hills”) filed an Application requesting approval of the transfer of certain assets, customers, and accounts related to farm taps from Southern Star Central Gas Pipeline, Inc. (“Southern Star”) to Black Hills under an Asset Purchase Agreement (“APA”) executed between Black Hills and Southern Star and further requesting the Commission issue customer-specific certificates of convenience and necessity for Black Hills to serve the farm tap customers.¹

¹ Black Hills Energy Application for Acquisition and Tariff Revision, p. 1 (Mar. 29, 2024) (“Application”).

2. On May 17, 2024, Southern Star petitioned for intervention in this matter.² Southern Star stated its intervention in the matter was in the interest of justice and would not impair the orderly and prompt conduct of the proceedings.³ Southern Star identified itself as the counter-party to the APA, which is the basis of Black Hills' pending Application.⁴ As such, Southern Star contended its rights may be substantially affected by any Commission order or activity in this proceeding.⁵ No other party is currently authorized to represent Southern Star in this proceeding.⁶

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.⁷

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

5. Southern Star will be added to the official service list. Service of pleadings, communications, and correspondence should be delivered to counsel of record, as follows:

William R. Griffin
645 East Douglas, Suite 100
Wichita, KS 67202
Telephone: (316) 265-9311
Email: wrgriffin@martinpringle.com

John S. Wathen
4700 State Route 56

² Southern Star Central Gas Pipeline, Inc. Petition to Intervene (May 17, 2024) ("Southern Star PTI").

³ *Id.*, p. 3.

⁴ *Id.*, p. 2.

⁵ *Id.*

⁶ *Id.*

⁷ K.S.A. 77-521; K.A.R. 82-1-225.

Owensboro, Kentucky 42301
Telephone: (270) 302-9280
Email: john.wathen@southernstar.com

THEREFORE, THE COMMISSION ORDERS:

- A. Southern Star's Petition to Intervene is granted pursuant to K.S.A. 77-521.
- B. Any party may file and serve a petition for reconsideration pursuant to the requirements and time limits established by K.S.A. 77-529(a)(1).⁸

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 10/22/2024



Lynn M. Retz
Executive Director

CRM

⁸ K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

CERTIFICATE OF SERVICE

24-BHCG-652-ACQ

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 10/22/2024.

RAMI ALNAJJAR, SR. ANALYST - REGULATORY
BLACK HILLS/KANSAS GAS UTILITY COMPANY, LLC
D/B/A BLACK HILLS ENERGY
1731 WINDHOEK DRIVE
LINCOLN, NE 68512
rami.alnajjar@blackhillscorp.com

JOSEPH R. ASTRAB, ATTORNEY
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
joseph.astrab@ks.gov

ROB DANIEL, DIRECTOR REGULATORY & FINANCE
BLACK HILLS/KANSAS GAS UTILITY COMPANY, LLC
D/B/A BLACK HILLS ENERGY
655 EAST MILLSAP DRIVE, STE. 104
PO BOX 13288
FAYETTEVILLE, AR 72703-1002
rob.daniel@blackhillscorp.com

WILLIAM RICK GRIFFIN, ATTORNEY
MARTIN, PRINGLE, OLIVER, WALLACE & BAUER, LLP
645 E. DOUGLAS STE 100
WICHITA, KS 67202-3557
wrgriffin@martinpringle.com

DOUGLAS LAW, ASSOCIATE GENERAL COUNSEL
BLACK HILLS/KANSAS GAS UTILITY COMPANY, LLC
D/B/A BLACK HILLS ENERGY
1731 WINDHOEK DRIVE
LINCOLN, NE 68512
douglas.law@blackhillscorp.com

TODD E. LOVE, ATTORNEY
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
todd.love@ks.gov

CARLY MASENTHIN, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
carly.masenthin@ks.gov

DAVID W. NICKEL, CONSUMER COUNSEL
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
david.nickel@ks.gov

SHONDA RABB
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
shonda.rabb@ks.gov

DELLA SMITH
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
della.smith@ks.gov

CERTIFICATE OF SERVICE

24-BHCG-652-ACQ

NICK SMITH, MANAGER - REGULATORY & FINANCE
BLACK HILLS/KANSAS GAS UTILITY COMPANY LLC
D/B/A Black Hills Energy
601 NORTH IOWA STREET
LAWRENCE, KS 66044
nick.smith@blackhillscorp.com

JOHN S. WATHEN
SOUTHERN STAR
4700 STATE ROUTE 56
OWENSBORO, KY 42301
john.wathen@southernstar.com

/S/ KCC Docket Room

KCC Docket Room