



Douglas J. Law

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August 13, 2025

Via e-filing Express

Ms. Celeste Chaney-Tucker
Executive Director
Kansas Corporation Commission
1500 S.W. Arrowhead Road
Topeka, KS 66604-4027

RE: Black Hills/Kansas Gas Utility Company, LLC, d/b/a Black Hills Energy
Docket Nos. 15-GIMG-343-GIG and 18-BHCG-319-CPL

Dear Ms. Retz:

Enclosed is our Motion to Support Kansas Gas Service's Request to Remove L&U data from the Annual Pipe Replacement Program in the above dockets.

If you have any questions concerning the information contained in the enclosed report, please give me a call.

Respectfully submitted,

/s/ Douglas J. Law

Douglas J. Law #29118
Associate General Counsel

DJL: ce
Attachments

cc: Rob Daniel
Nick Smith
Rami Alnajjar

BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

IN THE MATTER OF A GENERAL)	Docket No. 15-GIMG-343-GIG
INVESTIGATION REGARDING THE)	
ACCELERATION OF REPLACEMENT)	
OF NATURAL GAS PIPELINES)	
CONSTRUCTED OF OBSOLETE)	
MATERIALS CONSIDERED TO BE A)	
SAFETY RISK)	

IN THE MATTER OF BLACK)	Docket No. 18-BHCG-319-CPL
HILLS/KANSAS GAS UTILITY)	
COMPANY, LLC, D/B/A BLACK HILLS)	
ENERGY (“BLACK HILLS”),)	
COMPLIANCE FILING OF ITS)	
ACCELERATED PIPE REPLACEMENT)	
PLAN PURSUANT TO THE)	
COMMISSION ORDERS IN DOCKET)	
NO. 15-GIMG-343-GIG)	

MOTION TO SUPPORT KANSAS GAS SERVICE’S REQUEST TO REMOVE L&U

DATA FROM ANNUAL PIPE REPLACEMENT PROGRAM

Black Hills/Kansas Gas Utility Company, LLC, d/b/a Black Hills Energy (“Black Hills”), submits this motion in support of the motion filed by Kansas Gas Service, a division of ONE Gas, Inc. (“KGS”), in Docket No. 15-GIMG-343-GIG, requesting the removal of the requirement to file annual Lost and Unaccounted for Gas (“L&U”) reports for cities with more than 10,000 customers as part of the annual pipeline replacement program compliance filings. In support of this motion, Black Hills states the following:

1. In accordance with the Commission’s Final Order issued on September 12, 2017, within Docket No. 15-GIMG-343-GIG, Black Hills submitted its Preliminary Accelerated Pipe

Replacement Plan on January 24, 2018, in Docket No. 18-BHCG-319-CPL. This plan included a commitment to file annual L&U reports for communities with more than 10,000 customers.

2. Since 2019, Black Hills has submitted annual L&U reports in compliance with the Commission’s directive; however, as noted in its initial application filing within Docket 18-BHCG-319-CPL, and reaffirmed through subsequent reports, Black Hills has consistently expressed concern regarding the limited analytical value of L&U data in evaluating the effectiveness of its pipeline replacement efforts. The L&U metric is influenced by a wide range of variables, including meter inaccuracies, billing cycles, theft, venting, and accounting timing, which obscure its usefulness as a performance indicator for pipe integrity.

3. In its most recent L&U report filed on May 30, 2025, Black Hills reported the following L&U percentages for the 12-month period ending March 2025:

Dodge City	-9.16%
Garden City	-0.23%
Lawrence	-0.945
Wichita	1.01%
Total Company:	2.14%

The presence of negative L&U values, where metered deliveries exceed receipts, not only highlights the inconsistency and unreliability of this metric as a tool for assessing pipeline replacement outcomes but also aligns with the findings presented in KGS’s motion. Like KGS, Black Hills has observed that such anomalies are often the result of meter inaccuracies, timing differences, and other non-leakage factors, further demonstrating that L&U is not a meaningful performance indicator.

4. Black Hills supports KGS's position that the L&U reporting requirement has fulfilled its intended purpose and no longer provides meaningful insight into the performance of accelerated pipe replacement programs. Black Hills understands that Commission Staff are amenable to removing the L&U reporting requirement, subject to Commission approval. Black Hills remains open to further discussions if the Commission deems further discussion is necessary.

WHEREFORE, Black Hills respectfully requests that the Commission grant Kansas Gas Service's motion and extend the same L&U reporting requirement relief to Black Hills by removing the requirement for Black Hills to file annual L&U reports for cities with more than 10,000 customers in Docket No. 18-BHCG-319-CPL.

Respectfully submitted.

/s/ Douglas Law

Douglas J. Law
KS Bar #29118

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Attorney for Black Hills Kansas Gas Utility
Company, LLC, d/b/a Black Hills Energy

VERIFICATION

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

Douglas Law, of lawful age, being first duly sworn on oath, states:

That he is the attorney for Black Hills/Kansas Gas Utility Company, LLC, d/b/a Black Hills Energy, named in the foregoing Complaint and is duly authorized to make this affidavit; that he has read the foregoing and knows the contents thereof; and that the facts set forth therein are true and correct.

/s/ Douglas Law

SUBSCRIBED AND SWORN before me this 13th day of August 2025.

/s/ Christina L. Ellis
Notary Public
State of Nebraska

My commission expires July 4, 2026.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing was sent via electronic mail this 13th day of August, 2025, addressed to:

FOR DOCKET 15-GIMG-313-GIG: JAMES G. FLAHERTY, ATTORNEY ANDERSON & BYRD, L.L.P. 216 S HICKORY PO BOX 17 OTTAWA, KS 66067-0017 jflaherty@andersonbyrd.com JARED GEIGER, VICE PRES., RATES & REGULATORY AFFAIRS ATMOS ENERGY CORPORATION 1555 BLAKE ST STE 400 DENVER, CO 80202 Jared.Geiger@atmosenergy.com ROB DANIEL, Director of Regulatory BLACK HILLS/KANSAS GAS UTILITY COMPANY LLC D/B/A Black Hills Energy 601 NORTH IOWA STREET LAWRENCE, KS 66044 rob.daniel@blackhillscorp.com RAMI ALNAJJAR, SENIOR REGULATORY ANALYST BLACK HILLS ENERGY CORPORATION 2287 College Road Council Bluffs, IA 51503 rami.alnajjar@blackhillscorp.com 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 THOMAS J. CONNORS, Attorney at Law CITIZENS' UTILITY RATEPAYER BOARD 1500 SW ARROWHEAD RD TOPEKA, KS 66604 tj.connors@curb.kansas.gov	FOR DOCKET 18-BHCG-319-CPL: JAMES G. FLAHERTY, ATTORNEY ANDERSON & BYRD, L.L.P. 216 S HICKORY PO BOX 17 OTTAWA, KS 66067-0017 jflaherty@andersonbyrd.com RAMI ALNAJJAR, SENIOR REGULATORY ANALYST BLACK HILLS ENERGY CORPORATION 2287 College Road Council Bluffs, IA 51503 rami.alnajjar@blackhillscorp.com 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 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 JOSEPH R. ASTRAB, CONSUMER COUNSEL CITIZENS' UTILITY RATEPAYER BOARD 1500 SW ARROWHEAD RD TOPEKA, KS 66604 Joseph.Astrab@ks.gov
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/s/Douglas Law
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