

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

DEC 13 2012

by
State Corporation Commission
of Kansas

In the Matter of the Application of Black)
Hills/Kansas Gas Utility Company,)
LLC, d/b/a Black Hills Energy, for)
Approval of the Commission for Gas)
System Reliability Surcharge Per K.S.A.)
66-2201 through 66-2204)

Docket No. 13-BHCG-404-TAR

PETITION TO INTERVENE AND MOTION FOR PROTECTIVE ORDER

COMES NOW, the Citizens' Utility Ratepayer Board ("CURB") and moves the Corporation Commission of the State of the Kansas ("Commission") for an Order permitting it to intervene in the above-captioned proceeding. In support of its petition and motion, CURB states and alleges as follows:

1. CURB is composed of five volunteer consumer advocate members and is statutorily authorized to represent the interests of Kansas residential and small commercial ratepayers in utility proceedings.

2. CURB's Consumer Counsel has been given the discretion to intervene and represent the interests of Kansas residential and small commercial ratepayers in any utility proceeding before the Commission under K.S.A. 66-1223 et seq.

3. On December 12, 2012, Black Hills/Kansas Gas Utility Company, LLC, d/b/a Black Hills Energy filed an application with the Commission for approval to implement a Gas System Reliability Surcharge Per K.S.A. 66-2201 through 66-2204.

4. CURB is requesting permission to intervene in this docket to represent the interests of the residential and small commercial ratepayers of Kansas. The rates paid and the service received by those customers will or may be affected by any Commission

order or activity in this proceeding.

5. In addition to undersigned counsel, please include the following CURB representatives with all electronic notices, pleadings, and correspondence regarding this Application as follows:

Shonda Smith	Della Smith
Office Manager	Administrative Specialist
Citizens' Utility Ratepayer Board	Citizens' Utility Ratepayer Board
1500 SW Arrowhead Road	1500 SW Arrowhead Road
Topeka, KS 66604	Topeka, KS 66604
Email: sd.smith@curb.kansas.gov	Email: d.smith@curb.kansas.gov

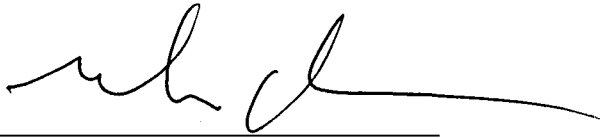
6. The representation of CURB's interests in this proceeding by existing parties is or may be inadequate.

7. The residential and small commercial ratepayers whose interests CURB represents will or may be bound by any Commission order or activity in this proceeding and will or may be adversely affected thereby.

8. In the filing, Exhibit JAW-3 to the Direct Testimony of Jerry A. Watkins on Behalf of Black Hills/Kansas Gas Utility Company, LLC, d/b/a Black Hills Energy was filed as confidential information. CURB is requesting the Commission issue a Protective Order in this docket to allow CURB and its consultant access to the full information contained in this filing.

WHEREFORE, CURB RESPECTFULLY REQUESTS THE Commission grant its Petition for Intervention and request for a Protective Order in this Docket.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'David Springe', with a long horizontal line extending to the right.

David Springe #15619

Niki Christopher #19311

C. Steven Rarrick #13127

Citizens' Utility Ratepayer Board

1500 SW Arrowhead Road

Topeka, KS 66604

(785) 271-3200


(785) 271-3116 Fax

VERIFICATION

STATE OF KANSAS)
COUNTY OF SHAWNEE) ss:

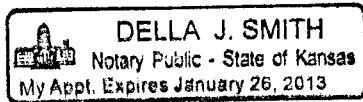
I, Niki Christopher, of lawful age, being first duly sworn upon her oath states:

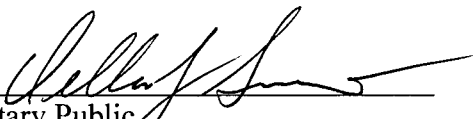
That she is an attorney for the Citizens' Utility Ratepayer Board, that she has read the above and foregoing document, and, upon information and belief, states that the matters therein appearing are true and correct.



Niki Christopher

SUBSCRIBED AND SWORN to before me this 13th day of December, 2012.





Notary Public

My Commission expires: 01-26-2013.


CERTIFICATE OF SERVICE

13-BHCG-404-TAR

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing document was placed in the United States mail, postage prepaid, or hand-delivered this 13th day of December, 2012, to the following:

Robert A. Fox, Senior Litigation Counsel
Kansas Corporation Commission
1500 SW Arrowhead Road
Topeka, KS 66604-4027
Hand Delivered

James G. Flaherty, Attorney
Anderson & Byrd, LLP
216 S. Hickory, P.O. Box 17
Ottawa, KS 66067



Della Smith
Administrative Specialist