

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

Before the 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 Winter) Docket No. 21-BHCG-334-GIG
Weather Events, as Contemplated by Docket No.)
21-GIMX-303-MIS.)

In the Matter of the Application of Black Hills)
Kansas Gas Utility Company, LLC d/b/a Black) Docket No. 21-BHCG-370-MIS
Hills Energy, for Waiver of Tariff.)

ORDER GRANTING MOTION FOR PROCEDURAL SCHEDULE

The 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 9, 2021, the Commission opened Docket No. 21- BHCG-334-GIG to investigate the effects of the February 2021 Winter Weather Event on Black Hills Kansas Gas Utility Company, LLC d/b/a Black Hills Energy (Black Hills). The Commission intended to analyze any extraordinary costs incurred during the events, and consider Black Hills’ plans to minimize the financial impact of the event on ratepayers

2. On March 23, 2021, in Docket No. 21-BHCG-370-MIS, Black Hills filed an Application for a temporary waiver of certain penalty provisions in its tariff pertaining to transportation customers during the February 2021 Winter Weather Event because the amounts charged to Black Hills from Federal Energy Regulatory Commission (FERC) regulated pipelines were unknown. This temporary waiver was granted on April 22, 2021.

3. On May 28, 2021, in Docket No. 21-BHCG-370-MIS, Black Hills filed a Motion to waive the aforementioned penalty provisions entirely, without prejudice.

4. On June 16, 2021, Black Hills submitted a plan to minimize the financial impact of the February 2021 Winter Weather Event on ratepayers in Docket No. 21-BHCG-334-GIG.

5. On July 20, 2021, the Commission consolidated Docket No. 21-BHCG-334-GIG and 21-BHCG-370-MIS.

6. On October 7, 2021, Commission Staff filed a Motion for Procedural Schedule.

7. The Commission, having reviewed Staff's Motion, adopts the following procedural schedule: **(IF A SETTLEMENT OCCURS BY NOVEMBER 9, 2021):**

ACTION	DATE	TIME	
Plan Filed	Wednesday, June 16, 2021		
Tech/Settlement Conference	Tuesday, October 26, 2021		
Settlement Due Date	Tuesday, November 9, 2021	5:00 pm	
Testimony Support or Opposing Settlement	Tuesday, November 16, 2021	5:00 pm	
Prehearing Conference	Tuesday, November 30, 2021	9:00 am	
Evidentiary Hearing	Tuesday, December 7, 2021	9:00 am	
Simultaneous Briefs	Wednesday, December 29, 2021	5:00 pm	
Commission Order	Thursday, January 27, 2022		

8. **IF A SETTLEMENT IS NOT REACHED BY NOVEMBER 9, 2021**, then the schedule will be modified to the following:

ACTION	DATE	TIME	
Tech/Settlement Conference	Tuesday, October 26, 2021		
Staff and Intervenor Direct Testimony	Tuesday, November 30, 2021	5:00 pm	
Black Hills Rebuttal Testimony	Wednesday, December 15, 2021	5:00 pm	
Settlement Conference	Tuesday, December 21, 2021		
Settlement Due	Tuesday, December 28, 2021	5:00 pm	
Testimony in Support/Opposition	Thursday, December 30, 2021	5:00 pm	
Prehearing Conference	Tuesday, January 4, 2022	9:00 am	
Evidentiary Hearing	Wednesday, January 19, 2022 Thursday, January 20, 2022	9:00 am	
Simultaneous Briefs	Tuesday, February 1, 2022	5:00 pm	
Commission Order	Tuesday, March 1, 2022		

9. Due to the ongoing pandemic, the prehearing conference will be conducted by Zoom. The evidentiary hearing is currently scheduled for in-person attendance at the Commission's Topeka office, but if the COVID-19 pandemic continues, the Commission reserves the right to convert the evidentiary hearings to virtual proceeding.

THEREFORE, THE COMMISSION ORDERS:

- A. The procedural schedule set forth in paragraphs 7 and 8 are adopted.
- B. This order is procedural and constitutes non-final agency action.¹

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Duffy, Commissioner

Dated: 10/28/2021



Lynn M. Retz
Executive Director

DGC

¹ K.S.A. 77-607(b)(2).

CERTIFICATE OF SERVICE

21-BHCG-334-GIG, 21-BHCG-370-MIS

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 10/28/2021.

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