

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the matter of Black Hills)	Application No. P-12.32
Nebraska Gas, LLC d/b/a Black)	
Hills Energy, Rapid City, South)	ORDER GRANTING FORMAL
Dakota, seeking to extend its)	INTERVENTION AND SETTING
service area for purposes of)	PLANNING CONFERENCE
serving an Omaha Public Power)	
District site in Sarpy County.)	Entered: March 19, 2021

BY THE HEARING OFFICER:

On February 23, 2021, Black Hills Nebraska Gas, LLC, d/b/a Black Hills Energy ("Black Hills" or "Applicant") filed an application seeking to extend its service area for purposes of serving an Omaha Public Power District site in Sarpy County, pursuant to Neb. Rev. Stat. § 66-1829. On March 3, 2021, the Metropolitan Utilities District ("MUD") filed a Protest and Motion to Dismiss, and thereby became a party to this proceeding under 291 Neb. Admin. Code § 9-003.02.

On March 18, 2021, the Omaha Public Power District ("OPPD") filed a petition for formal intervention pursuant to 291 Neb. Admin. Code § 1-002.12. In its petition, OPPD states that it has an interest in Black Hills' Application because OPPD is the customer seeking natural gas services to the site in question, and the decisions made by the Commission in this proceeding will therefore impact OPPD's business and service operations.

Pursuant to the Rules of Commission Procedure, 291 Neb. Admin. Code § 1-002.12 *et seq.*, I find that OPPD's request to be allowed to participate in this proceeding should be granted, and OPPD should be designated as a formal intervenor and a party to this proceeding. OPPD should be entitled to participate in the proceeding to the extent of its express interest in the matter and in a manner consistent with 291 Neb. Admin. Code § 1-002.12A.

In order to set a procedural schedule in this matter, including discovery deadlines and a hearing date, I find that a planning conference in the above-captioned matter should be scheduled on **Tuesday, March 23, 2021, at 1:30 p.m. Central Time.** The planning conference will be held via Zoom web conference. Access instructions for the conference will be sent to the parties separately.

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O R D E R

IT IS THEREFORE ORDERED that the petition of the Omaha Public Power District to formally intervene in this matter be granted consistent with the terms set forth herein.

IT IS FURTHER ORDERED that a Planning Conference in the above-captioned matter be, and it is hereby, scheduled for **Tuesday, March 23, 2021, at 1:30 p.m. Central Time.**

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 19th day of March, 2021.

BY:



Dan Watermeier
HEARING OFFICER