

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Black Hills) Application No. NG-0007.5
Energy, Omaha, seeking waiver)
of the 30-day notice period)
under *Neb. Rev. Stat. sec. 66-*)
1808 to change the headings of) ORDER GRANTING WAIVER OF
the tariffs on file with the) NOTICE AND PUBLICATION AND
Commission from Aquila Inc. to) APPROVING PROPOSED TARIFF
Black Hills/ Nebraska Gas) CHANGE
Utility Company, LLC d/b/a and)
from Aquila Networks to Black)
Hills Energy.) Entered: October 15, 2008

O P I N I O N A N D F I N D I N G S

On October 6, 2008, Black Hills Energy, Omaha, filed Proposed Changes in Tariffs and sought waiver of notice and publication pursuant to the State Natural Gas Regulation Act, *Neb. Rev. Stat. § 66-1808 (2004 Cum. Supp.)*.

The proposed tariff changes the name of the company from Aquila, Inc. to Black Hills Energy, the new name following an acquisition of the company, approved in Commission Application No. NG-0044.¹

The Commission finds that reflection of the current company name constitutes good cause to waive notice and publication of the proposed tariff change.

The Commission being fully advised in the premises, further finds that the Revised Tariff Sheet should be approved effective October 15, 2008.

¹ See Commission Application No. NG-0044: *In the Matter of the Joint Application of Aquila Inc. D/B/A Aquila Networks, Kansas City, Missouri; Black Hills Corporation, and Black Hills/Nebraska Gas Utility Company, LLC, both of Rapid City, South Dakota, seeking approval of the proposed transfer of Aquila's Certificate of Convenience and for a Change of Control of Aquila's Nebraska jurisdictional assets.*

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O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Black Hills Energy's reflection of the current company name constitutes good cause to waive notice and publication of the proposed tariff change.

IT IS FURTHER ORDERED that Black Hills Energy's Revised Tariff Sheet filed October 6, 2008, is approved effective October 15, 2008.

MADE AND ENTERED at Lincoln, Nebraska, this 15th day of October, 2008.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Arnold F. Up *Anne C. Boyle*
Chair

Tim Schram ATTEST:

//s// Anne C. Boyle
//s// Frank E. Landis

Phil S. [Signature]
Executive Director