

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of SourceGas Distribution) Application No. NG-0060
LLC, Lakewood, Colorado, seeking)
approval of a general rate increase.) ASSESSMENT ORDER
) NO. HS-007
)
) Entered: December 15, 2009

BY THE COMMISSION:

The Commission received a letter dated November 19, 2009, from Harding & Shultz for Public Advocate's Consultant services cost associated with the above-captioned docket incurred from August through November 2009, totaling \$19,950.00. Commission staff has reviewed the invoices and found them to conform to the Agreements dated October 23, 2009, and November 15, 2008, between the Commission and Harding & Shultz.

Investigation-related assessments are governed by *Neb. Rev. Stat.* § 66-1840, which specifies a maximum limit on the amount that may be assessed to a jurisdictional utility during a fiscal year:

The total amount, in any one fiscal year, for which any utility shall be assessed under this section shall not exceed the following: (a) For a jurisdictional utility that has not filed an annual report with the commission as provided in the State Natural Gas Regulation Act prior to the beginning of the commission's fiscal year, actual expenses, including direct and indirect expenses, incurred by the commission; and (b) for any other jurisdictional utility, one percent of the utility's gross operating jurisdictional revenue less gas cost derived from intrastate natural gas utility business as reflected in the last annual report filed with the commission pursuant to the act prior to the beginning of the commission's fiscal year. The commission may render bills in one fiscal year for costs incurred within a previous fiscal year.

Neb. Rev. Stat. § 66-1840.

The maximum amount assessable to SourceGas pursuant to *Neb. Rev. Stat.* § 66-1840 during the 2009-10 fiscal year is \$346,174. On August, 18, 2009, the Commission voted to allocate the maximum amount assessable between the Public Advocate and the Commission consultants, setting aside up to \$100,000 for the Commission consultants and the remainder for the Public Advocate. See *Nebraska Public Service Commission Minutes*, page 7680, August 18, 2009. The Commission-prescribed limitation for Public Advocate expenses would be exceeded if the full amount due were assessed; therefore assessment at this time is made in the amount of \$10,000.00. The remaining balance of \$9,950.00 will be assessed during the next fiscal year.

Commission staff recommends the Commission approve partial assessment of the expenses reflected on the invoice against SourceGas Distribution LLC (SourceGas), pursuant to *Neb. Rev. Stat. sec. 66-1840*, as described above.

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

Upon the recommendations of the Commission staff, the Commission finds that assessment against SourceGas of expenses reflected in the above-mentioned invoice from Harding & Shultz should be approved as described above. The Commission further finds that the Commission should pay the invoice upon receipt of payment by SourceGas.

O R D E R

IT IS THEREFORE ORDERED by the Commission that the above-mentioned assessment is approved and hereby made.

MADE AND ENTERED at Lincoln, Nebraska, this 15th day of December, 2009.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Vice Chairman

ATTEST:

Executive Director

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Upon the recommendations of the Commission staff, the Commission finds that assessment against SourceGas of expenses reflected in the above-mentioned invoice from Harding & Shultz should be approved as described above. The Commission further finds that the Commission should pay the invoice upon receipt of payment by SourceGas.


O R D E R

IT IS THEREFORE ORDERED by the Commission that the above-mentioned assessment is approved and hereby made.

MADE AND ENTERED at Lincoln, Nebraska, this 15th day of December, 2009.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:



//s//Gerald Vap



Vice Chairman

ATTEST:



Executive Director