

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Three Rivers)
Energy Co., Winnebago, Nebraska,)
seeking authority for a Competitive)
Natural Gas Provider Certificate in)
the state of Nebraska.)
) Entered: June 16, 2015

Application No. NG-0081
AUTHORITY GRANTED

BY THE COMMISSION:

By application filed April 28, 2015, Three Rivers Energy Co. (Three Rivers), Winnebago, Nebraska, seeks authority as a competitive natural gas provider (CNGP) in the State of Nebraska. Notice of the application was published in the *Daily Record*, Omaha, Nebraska, on May 6, 2015.

The deadline for filing a protest or petition for intervention was June 5, 2015. Because no protests or petitions for intervention are pending, the Commission may process this application by modified procedure, pursuant to the Commission Rules of Procedure, 291 Neb. Admin. Code, Ch. 1, Rule 018.03.

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

The Commission finds that it has jurisdiction pursuant to Neb. Rev. Stat. §§ 66-1848 to 66-1849. Section 66-1849 provides in part:

The commission shall certify all competitive natural gas providers and aggregators providing natural gas services. In an application for certification, a competitive natural gas provider or aggregator shall reasonably demonstrate managerial, technical, and financial capability sufficient to obtain and deliver the services such provider or aggregator proposes to offer. The commission may establish reasonable conditions or restrictions on the certificate at the time of issuance.

In addition, Commission rules and regulations specify requirements for an application for authority as a CNGP. See, 291 Neb. Admin. Code, Ch. 9, Rule 011.

Three Rivers is a corporation and subsidiary of Ho-Chunk, Inc., the economic corporation of the Winnebago Tribe of Nebraska with its principal office in Winnebago, Nebraska. Three Rivers represents that it does not have any affiliates engaged in the provision of competitive natural gas services in any other state. In support of its application, Three Rivers filed the consolidated financials and audit report of its parent, Ho-Chunk, Inc. under seal. Three Rivers also provided a copy of its Certificate of Authority to Transact Business in Nebraska. There have not been any legal actions or formal complaints pertaining to the provision of competitive natural gas services filed against Three Rivers within the twelve months prior to filing this application, nor has Three Rivers had a license or

certificate to supply competitive natural gas service revoked, denied or withdrawn.

In addition, Three Rivers submitted a roster of its management team, with information regarding years of experience and operational functions. Three Rivers also provided an affidavit of one of the officers, attesting to the accuracy of the information included in the application.

Commission Staff Accountant Steve Stovall submitted a Report on Regulatory Compliance indicating that the financial statements submitted provide evidence of adequate financial resources necessary to obtain and deliver the services that WoodRiver proposes to offer.

Based upon the information provided in the application and verified by affidavit, the Commission finds that the provisions of Neb. Rev. Stat. §§ 66-1848, 66-1849 and applicable Commission rules and regulations are met. Three River's application for authority should be granted, and Three Rivers should be issued a certificate of authority as a competitive natural gas provider consistent with the conditions set forth in this order.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. NG-0081 be, and it is hereby, granted and Three Rivers Energy Co., is authorized to operate as a competitive natural gas provider within the State of Nebraska.

IT IS FURTHER ORDERED that this order be, and it is hereby made the Commission's official certificate of authority to furnish the service authorized herein as competitive natural gas provider.

MADE AND ENTERED at Lincoln, Nebraska, this 16th day of June, 2015.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Tim Schram

Crystal Knowles

Frank E. Landis

//s//Frank E. Landis
//s//Gerald L. Vap

Chairman

Gerald L. Vap

ATTEST:

Shawn K. [Signature]

Deputy Director