SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Black)	Application No. NG-0090
Hills/Nebraska Gas Utility, LLC,)	
d/b/a Black Hills Energy,)	
Papillion, seeking approval of a)	ORDER GRANTING FORMAL
Farm Tap Safety Proposal and)	INTERVENTION
Associated Tariff.)	
)	Entered: February 22, 2017

BY THE COMMISSION:

On December 5, 2016, Black Hills/Nebraska Gas Utility, LLC, d/b/a Black Hills Energy (Black Hills), Papillion, Nebraska, filed an application seeking approval of a Farm Tap Safety Proposal and the associated tariff. A petition for Formal Intervention was timely received from the Public Advocate (PA) and the petition was granted.

A Petition for Formal Intervention Out-of-Time was filed by Northern Natural Gas Company (NNGC) on February 14, 2017. Pursuant to Commission rules, petitions for formal intervention should be filed within 30 days of publication of notice by the Commission. In the above-captioned proceeding, petitions for formal intervention were due to the Commission by the end of business on January 9, 2017.

Commission rules and the APA require a petitioner seeking formal intervention to demonstrate his or her legal interest in the proceeding.² The APA and Commission rules further give broad discretion to a hearing officer regarding formal interventions including imposing conditions upon a formal intervenor's participation in a proceeding including limiting participation to certain issues and imposing limits on the use of discovery, cross examination, and other procedures.

NNGC states that it has a legal interest in the proceeding as the customer-owned facilities that are the subject of the above-captioned proceeding are connected to NNGC's pipeline and NNGC has an interest in the safe operation of these facilities. Further, NNGC states in its petition it agrees to accept the proceeding as is, and is not seeking changes to any of the established deadlines in the procedural schedule previously ordered. Finally, neither Black Hills nor the PA objected to NNGC's Petition.

¹ 291 NAC 1 § 015.01B (May 4, 1992).

Neb. Rev. Stat. § 84-912,02(1)(b) (Reissue of 2014).

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Therefore, I find that the petition for formal intervention shall be granted with no additional conditions.

ORDER

IT IS THEREFORE ORDERED by the Hearing Officer that the petition for formal intervention filed by Northern Natural Gas Company, be, and is hereby, granted.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 22nd day of February, 2017.

HEARING

QFFICE

BY:

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