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BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

IN THE MATTER OF BLACK HILLS
NEBRASKA GAS, LLC d/b/a BLACK
HILLS ENERGY PROVIDING NOTICE
REQUIRED BY NEB. REV. STAT. § 66-
1863, AS AMENDED, THAT IT INTENDS
TO EXTEND OR ENLARGE ITS
SERVICE AREA OR EXTEND A GAS
MAIN.

Application No. P-12-32

OMAHA PUBLIC POWER DISTRICT'S
PETITION FOR FORMAL
INTERVENTION

COMES NOW the Omaha Public Power District ("OPPD"), by and through its undersigned counsel, and hereby submits this Petition for Formal Intervention in the above-captioned proceeding, pursuant to Neb. Admin. Code, Title 291, Ch. 1, § 002.12. In support of this Petition, OPPD states and alleges follows:

1. On February 23, 2021, Black Hills Nebraska Gas, LLC, d/b/a Black Hills Energy ("Black Hills") filed an Application with the Commission and provided notice of its intent to serve OPPD's new natural gas generation facilities in the area of 168th Street and Fairview Road in Sarpy County, Nebraska ("OPPD's Papillion Site" or "Turtle Creek Station"). In its Application, Black Hills seeks a determination from the Commission that its proposed service to OPPD for the OPPD Papillion Site is in the public interest.

2. Formal intervention in Commission proceedings is governed by 291 Neb. Admin. Code, Chapter 1, Sections 002.12A and 003.04. Under these Commission Rules, a party interested in the proceeding before the Commission may file a petition of Formal Intervention and "shall become a party to the proceeding." See 291 Neb. Admin. Code, Ch. 1, § 003.04.

3. Further, pursuant to Section 001.16 of Title 291, Chapter 1 of the Nebraska Administrative Code, “intervenors” are defined as “persons, political subdivisions, corporations, organizations, or other entities who have or claim to have any interest, legal right, duty, privilege, or immunity, which would be directly affected by the Commission’s issuance of a binding order.”

4. In filing this Petition for Formal Intervention, OPPD relies on the facts alleged in Black Hills' February 23, 2021 Application. OPPD has an interest in Black Hills' Application because OPPD is the customer seeking natural gas services to the OPPD Papillion Site. The decisions made by the Commission in this proceeding will have an impact on OPPD's business and service operations for this facility.

5. Therefore, while any potential dispute is between Black Hills and other parties, including Metropolitan Utilities District, OPPD has a substantial interest in the outcome of the instant Application before the Commission because any decision of the Commission will directly impact the OPPD Papillion Site.

WHEREFORE, OPPD respectfully requests the Commission grant this Petition for Formal Intervention.

DATED this 18th day of March, 2021.

Respectfully Submitted,

OMAHA PUBLIC POWER DISTRICT

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 18th day of March, 2021, a true and correct copy of the foregoing was served via electronic mail to:

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