

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of Black Hills Nebraska Gas, LLC d/b/a Black Hills Energy, Rapid City, South Dakota, seeking approval of a general rate increase.)	Application No. NG-124
)	
)	ORDER GRANTING
)	INTERVENTION AND
)	ADMISSION PRO HAC VICE
)	
)	Entered: June 3, 2025

BY THE HEARING OFFICER:

On May 1, 2025, Black Hills Nebraska Gas, LLC, d/b/a Black Hills Energy ("Black Hills" or "Applicant") filed an application with the Nebraska Public Service Commission ("Commission") seeking a general rate increase. A petition for Formal Intervention was filed by the Nebraska Public Advocate on May 6, 2025, and her intervention was approved by the Commission on May 8, 2025. On May 30, 2025, the Federal Executive Agencies ("FEA") filed a motion to intervene in this matter. The FEA also filed motions for pro hac vice admission for the following individuals: Maj. Leslie R. Newton, an attorney in good standing in the State of Florida; Capt. Ashley N. George, an attorney in good standing in the District of Columbia; Capt. Michael A Rivera, an attorney in good standing in the State of Georgia; and Thomas A Jernigan, an attorney in good standing in the State of Ohio. The FEA also requested the Commission waive the \$250.00 application fees for such admission.

Pursuant to the Rules and Regulations of the Commission, I find that the above-described petition for formal intervention should be granted, and the FEA should be designated as a formal intervenor and a party to this proceeding. Furthermore, the FEA should be entitled to participate in this proceeding to the extent of its express interest in the matter and in a manner consistent with Commission Rules.

The FEA also submitted applications for pro hac vice admission and requested a waiver of the \$250.00 application fees. The Nebraska Supreme Court recently modified its rule regarding pro hac vice admissions. Neb. Ct. R. § 3-122, effective February 12, 2025, which previously only governed courts, was expanded to also include any "administrative agency, department, board, or commission". Motions for waiver of this fee are governed by Neb. Ct. R. § 3-122(F), which states, in part:

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“A court or agency may, in its discretion and upon written motion, waive the fee for applicants who are representing governmental entities or providing pro bono representation of an indigent client.”

Pursuant to Neb. Ct. R. § 3-122, I find that the FEA's pro hac vice motions and waiver requests meet the above requirements. The motions were timely filed and contains the information required by law. Therefore, the FEA's motions for pro hac vice admission should be granted. I also find that the motions to waive the \$250.00 application fees shall also be granted.

O R D E R

IT IS THEREFORE ORDERED that the petition of the Federal Executive Agencies to formally intervene in this matter be granted consistent with the terms set forth herein.

IT IS FURTHER ORDERED that the motions of the Federal Executive Agencies for pro hac vice admission should be granted, and the application fees shall be waived.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 3rd day of June, 2025.

NEBRASKA PUBLIC SERVICE COMMISSION

BY:



Dan Watermeier
Hearing Officer