

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 SETTING
)	PROCEDURAL SCHEDULE
)	AND NOTICE OF HEARING
)	
)	
)	Entered: June 10, 2024

BY THE HEARING OFFICER:

On May 1, 2025, Black Hills Nebraska Gas, LLC, d/b/a Black Hills Energy ("Black Hills") filed an application with the Nebraska Public Service Commission ("Commission") seeking a general rate increase. Petitions for Formal Intervention were filed by the Nebraska Public Advocate on May 6, 2025, the Federal Executive Agencies on May 30, 2025, and WoodRiver Energy, LLC on June 6, 2025. These petitions were approved by the Commission on May 8, 2025, June 3, 2025, and June 6, 2025, respectively.

Procedural Schedule

A planning conference was held on June 10, 2025. Douglas Law was present on behalf of Black Hills. Chris Dibbern, the Public Advocate, was present. Major Leslie R Newton was present on behalf of the Federal Executive Agencies and Alex Goldberg was present on behalf of WoodRiver Energy, LLC. Pursuant to the planning conference, a procedural schedule was discussed and is set forth below.

The schedule set forth in this order allows the Commission to enter a final order in this proceeding within 240 days from the date of filing. In constructing this schedule, the Commission is not making a final interpretation of the time period allowed under Neb. Rev. Stat. § 66-1838. The Commission adopts this timeframe only in recognition of the different possible interpretations of this statute.¹

¹ See Neb. Atty. Gen. Op. 11004 (2011).

A. Service

Parties may meet filing deadlines outlined herein by sending an electronic copy of the filing via electronic mail to psc.naturalgas@nebraska.gov, so long as all parties are served via electronic mail contemporaneously.

B. Discovery

All discovery responses are due within ten (10) days of service, unless otherwise agreed to by the Parties. Any discovery request served after 3:00 p.m. shall be considered filed the following day for purposes of calculating response time. Parties should reference the Nebraska Court Rules of Discovery in Civil Cases for general guidance as to the conduct of discovery. Should this order conflict with any provision of said Rules, this order controls. Parties should make efforts to resolve any discovery disputes.

All parties shall provide a courtesy copy of any discovery requests and responses to the Commission. Such discovery requests and responses shall not be part of the official record unless they are offered and accepted as exhibits during the hearing on the application. Courtesy copies should be sent to psc.naturalgas@nebraska.gov.

C. Deadlines

Deadlines for various events and filings were established through communication with the parties and are set forth below. All hearing times and other times listed are in Central Time. All filings are due by 5:00 p.m. unless otherwise noted.

Date	Event
Thursday, May 1, 2025	Application Filed
Tuesday, May 6	Notice of Application Published in Daily Record
Thursday, June 5	Protest Date
Tuesday, June 10	Planning Conference
Wednesday, July 23	Final date for discovery requests to be served by Intervenors on Applicant

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Friday, August 1	Interim rates scheduled to go into effect (90 days from filing)
Monday, August 4	All discovery responses from Applicant due to Intervenor
Wednesday August 6	Deadline for Intervenor to file Motions to Compel Responses to Discovery
Friday, August 15	Deadline for Intervenor to file direct testimony, exhibits, workpapers, and witness lists
Week of August 18	Town Hall Meetings (via WebEx) Date/Time TBD
Tuesday, August 26	Deadline for Applicant to serve discovery requests on Intervenor
Friday, September 5	All discovery responses from Intervenor due to Applicant
Tuesday, September 9	Deadline for Applicant to file Motions to Compel Responses to Discovery
Monday, September 15	Applicant's rebuttal testimony and exhibits due
Friday, September 19	Final date for Intervenor to serve limited discovery requests on rebuttal testimony to Applicant (limit of 20 requests)
Friday, September 26	Responses to discovery on rebuttal testimony from Applicant due to Intervenor
Tuesday, September 30	Commission releases list of disputed issues
Thursday, October 2	Deadline to file written objections, motions, or corrections to list of disputed issues
Thursday, October 9	Planning Conference (10:00 a.m.) Witness lists due Exhibit lists due
Tuesday, October 14 – Friday, October 17 9:00 a.m. – 4:30 p.m.	Hearing

Wednesday, October 29	Post-hearing briefs due
Wednesday, November 5	Reply briefs due
Tuesday, November 18	Interlocutory Order issued releasing assumptions for purposes of calculating rates
Thursday, November 20, at 10:00 a.m.	Technical Conference
Tuesday, November 25	Applicant to file revised rates and supporting documentation
Tuesday, December 2, at 1:30 p.m.	Hearing on revised rates
Tuesday, December 16, 2025	Final order issued

D. Settlement

All parties are encouraged to cooperate and engage in negotiations; however, the conduct of negotiations does not relieve the parties of their obligation to meet filing deadlines.

E. Hearings

A hearing will be held in the above-captioned docket in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln, Nebraska, on **Tuesday, October 14 through Friday, October 17, from 9:00 a.m. – 4:30 p.m. daily**. A one-hour lunch break will be taken each day from approximately 12:00 – 1:00 p.m., along with a fifteen-minute break each morning and afternoon. Webconference access will be made available to the parties.

A second hearing in this matter, relating to revisions to the rate structure following the Commission's interlocutory order, will be held in the above-captioned docket in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln, Nebraska, on **Tuesday, December 2, 2025, at 1:30 p.m.** Webconference access will be made available to the parties.

The Commission will arrange for a court reporter for the hearings in this matter, and an expedited transcript will be provided. The costs for the reporter's services and the transcripts will be assessed to the Applicant.

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If auxiliary aids or reasonable accommodations are needed for attendance at the hearings, please call the Commission at (402) 471-3101. For people with hearing/speech impairments, please call the Commission at (402) 471-0213 (TDD) or the Nebraska Relay System at (800) 833-7352 (TDD) or (800) 833-0920 (Voice). Advance notice of at least seven days is needed when requesting an interpreter.

O R D E R

IT IS THEREFORE ORDERED that the deadlines and requirements established in this order and attached hereto are hereby adopted.

IT IS FURTHER ORDERED that a hearing on this matter will be held on **Tuesday, October 14 through Friday, October 17, from 9:00 a.m. – 4:30 p.m. daily** in the Commission Hearing room, 300 The Atrium, 1200 N Street, Lincoln, Nebraska.

IT IS FURTHER ORDERED that a second hearing on this matter will be held on **Tuesday, December 2, 2025, at 1:30 p.m.** in the Commission Hearing room, 300 The Atrium, 1200 N Street, Lincoln, Nebraska.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 10th day of June, 2025.

NEBRASKA PUBLIC SERVICE COMMISSION

BY:



Dan Watermeier
HEARING OFFICER