

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-0 12.32

RECEIVED

By Deena Ackerman at 1:26 pm, Feb 23, 2021

MOTION FOR PROTECTIVE ORDER

Black Hills Nebraska Gas, LLC d/b/a Black Hills Energy (“Black Hills Energy”) is the Applicant providing notice to the Nebraska Public Service Commission (the “Commission”) as required in Neb. Rev. Stat. § 66-1863 that it intends to extend or enlarge its service area or extend a gas main. In conjunction therewith, Applicant files this Motion for Protective Order.

Applicant seeks a Protective Order pursuant to Neb. Rev. Stat. § 66-1829 of the State Natural Gas Regulation Act, and Nebraska Administrative Code, Title 291, Chapter 9, Rule 006 (Confidential Information), to preserve the confidentiality of any and all confidential information and materials filed or otherwise involved in the above-captioned proceeding.

In support of this Motion, Black Hills Energy states as follows:

1. As provided in Neb. Rev. Stat. § 66-1829 and the Commission’s existing rules and regulations, the Commission may enter an order to adopt a Protective Order (*i.e.*, in the form attached hereto) to cover any “Confidential” materials that may be submitted by the Applicant or other Participants, in conjunction with the above-captioned proceeding.

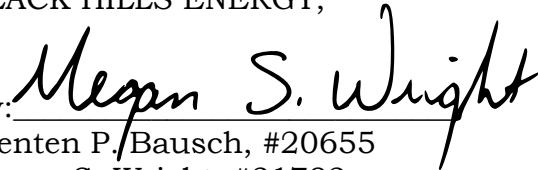
2. Issuing a standard Commission Protective Order in this proceeding is in the public interest as it will protect the confidential materials of the Applicant and other Participants in this proceeding.

3. The Protective Order contains provisions that require the Applicant and other Participants to comply with the confidentiality requirements of the State Natural Gas Regulation Act. The Protective Order also incorporates the Commission's proposed Rules and Regulations regarding confidential information. See Neb. Rev. Stat. §§ 66-1801 et seq.; see also Neb. Admin. Code, Title 291, Ch. 9, Rule 006 (Confidential Information).

WHEREFORE, Applicant requests that the Nebraska Public Service Commission adopt and issue an Order Adopting Protective Order in accordance with the State Natural Gas Regulation Act and any applicable existing or proposed rules or regulations of the Commission to cover the Confidential Materials filed by Applicant and other Participants in this proceeding.

Dated: February 23, 2021

BLACK HILLS NEBRASKA GAS, LLC d/b/a
BLACK HILLS ENERGY,

By: 
Trenten P. Bausch, #20655
Megan S. Wright, #21782
Cline Williams

Wright Johnson & Oldfather, L.L.P.
Sterling Ridge
12910 Pierce Street, Suite 200
Omaha, NE 68114-1105
Phone: (402) 397-1700
Fax: (402) 397-1806
tbausch@clinewilliams.com
mwright@clinewilliams.com

and

Douglas J. Law, #19436
Associate General Counsel
Black Hills Energy
1731 Windhoek Drive
Lincoln, NE 68512
Phone: (402) 221-2635
dlaw@blackhillscorp.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was served by e-mail and U.S. Mail, sufficient postage prepaid on the 23rd day of February, 2021 upon the following individuals:

Nichole Mulcahy Natural Gas Director Nebraska Public Service Commission 300 The Atrium, 1200 N Street P.O. Box 94927 Lincoln, NE 68509-4927 Nichole.mulcahy@nebraska.gov	Mark Mendenhall General Counsel Metropolitan Utilities District 7350 World Communications Dr. Omaha, NE 68122 Mark.Mendenhall@mudnebr.com
Sallie Dietrich Attorney Nebraska Public Service Commission 300 The Atrium, 1200 N Street P.O. Box 94927 Lincoln, NE 68509-4927 sallie.dietrich@nebraska.gov	Marc Willis Attorney Metropolitan Utilities District 7350 World Communications Dr. Omaha, NE 68122 Marc.Willis@mudnebr.com
Deena Ackerman Consumer Affairs Advocate Nebraska Public Service Commission 300 The Atrium, 1200 N Street P.O. Box 94927 Lincoln, NE 68509-4927 Denna.ackerman@nebraska.gov E-filing: psc.naturalgas@nebraska.gov	Andy S. Pollock Rembolt Ludtke LLP 3 Landmark Centre 1128 Lincoln Mall, Suite 300 Lincoln, NE 68508 apollock@rembolt.awfirm.com

The undersigned hereby certifies that a copy of the foregoing was served by certified mail, sufficient postage prepaid on the 23rd day of February, 2021 upon the following:

Metropolitan Utilities District
7350 World Communications Dr.
Omaha, NE 68122

By: Megan S. Wright