



NG-124

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May 1, 2025

Col. Thomas Golden (Ret.)
Executive Director
Nebraska Public Service Commission
1200 N Street, Suite 300
Lincoln, NE 68508

Re: *In the Matter of the Application for Approval of a General Rate Case on Behalf
of Black Hills Nebraska Gas, LLC d/b/a Black Hills Energy
Application No. NG-124*

Dear Mr. Golden:

Enclosed, please find for filing an original and eight (8) copies of the Motion for Waiver of Filing Requirements of the above-referenced Application. Please file stamp the extra copy and return to my office in the enclosed self-addressed stamped envelope. If you have any questions or concerns regarding the enclosed filing, please contact me at your earliest convenience.

Respectfully submitted,

/s/ Douglas J. Law

Douglas J. Law
Associate General Counsel

DJL
Enclosures

cc: Nichole Mulcahy
Jonathan Smith
psc.naturalgas@Nebraska.gov
Chris Dibbern

BEFORE THE PUBLIC SERVICE COMMISSION OF NEBRASKA

IN THE MATTER OF THE)	
APPLICATION OF BLACK HILLS)	
NEBRASKA GAS, LLC D/B/A BLACK)	Application No. NG-124
HILLS ENERGY, RAPID CITY, SOUTH)	
DAKOTA, SEEKING A GENERAL)	
RATE INCREASE		

**MOTION FOR LIMITED WAIVER OF THE
COMMISSION’S GENERAL RATE FILING RULES AND REGULATIONS**

Black Hills Nebraska Gas, LLC d/b/a Black Hills Energy (“BH Nebraska Gas” or “Applicant”)) is the Applicant for a general rate case as filed in Commission Application No. NG-124 on May 1, 2025, with the Nebraska Public Service Commission (the “Commission”). In conjunction therewith, Applicant files this Motion for Limited Waiver of the Commission’s General Rate Filing Rules and Regulations.

In support of this Motion, Applicant states as follows:

1. Applicant seeks a Motion for Limited Waiver of the Commission’s General Rate Filing Rules and Regulations pursuant to Neb. Rev. Stat. §§ 66-1801 et, seq, of the State Natural Gas Regulation Act, and Nebraska Administrative Code, Title 291, Chapter 1, and Chapter 9, Rules, 004 (General Rate Filings), 005 (Rate Principles), 006 (Confidential Information), and 008 Tariff Filings).¹
2. Through this Motion, the Applicant seeks to limit the number of paper copies of voluminous schedules, spreadsheets, testimony exhibits, discovery responses, or workpapers otherwise required to be filed in a printed version under the Commission’s rules and regulations.
3. In addition, Applicant requests waiver of its obligation to file an Adobe Acrobat™ Portable Document Format (“PDF”) format of voluminous schedules, spreadsheets, testimony

¹ See, e.g., 291 Neb. Admin. Code, Ch. 9, Rules 004.01A, 004.12, 006.01A, and 008.04.

exhibits, discovery responses, workpapers, or other documents in addition to providing the native file format.

4. Except for its Rate Review Application and Supporting Testimony, which was filed in both a paper and electronic format, Applicant further requests permission to file Applicant's General rate filing documents electronically using Microsoft ShareFile™ instead of making the required paper filing of voluminous Application schedules or Testimony Exhibits. Applicant desires to avoid possible file transfer size limitations by using ShareFile™ instead of email attachments.

5. Applicant will fully comply with the content requirements set forth in the applicable general rate filings statutes and Commission regulations when filing the electronic version of documents required by the Commission for General rate filings. However, Applicant's ability to file those documents via the ShareFile™ program instead of paper or by email should save time for all parties and provide better organization of the filed documents than multiple emails or paper filings.

6. Applicant also requests waiver of the Commission's regulations to file "Confidential" information on yellow paper. Instead of printing the Confidential documents on yellow paper and filing them under seal, Applicant requests to mark confidential information as "Confidential," and to file those documents electronically in a file and folder marked as "Confidential." BH Nebraska Gas will prepare a redacted or public version of the document to indicate that Confidential information has been omitted from the filing or discovery response.

7. Applicant summarizes below the specific items for which it seeks the Commission approval to alter the form and format of its general rate filing from the Commission's current rules and regulations:

a. **Rate Application**

- **Paper Copies:** Applicant will print out an original and eight copies of Applicant's Rate Review Application along with the documents required under Commission Rules 004, 005, and 006.²
- **Printed Testimony:** Applicant will print Direct Testimony but not the Testimony Exhibits.
- **Voluminous Schedules, Spreadsheets, or Exhibits:** Applicant will provide copies of all materials required under applicable Commission general rate filing rules and regulations in an electronic format. However, Applicant will limit or omit printing paper copies of schedules, spreadsheets, or other Exhibits that are voluminous. For example, such documents include but are not limited to the Black Hills Corporation Annual Report. Applicant will provide a PDF version but not a paper copy. In addition, Workpapers will be provided in an electronic format through ShareFile™, and not in a paper format.

b. **Electronic Filing**

- **PDF Copies and Native File Format:** Applicant may provide PDF copies when that format is appropriate or necessary. However, for files that are in Microsoft Excel™ or other file formats that do not easily convert to the PDF format, Applicant will only provide the Native File format version of the document. An example of this intended filing would be the Revenue Requirement Study or the Class Cost of Service Study, which consists of schedules that are hundreds of pages in length. Those large file documents don't convert to PDF format without a significant amount of additional and unnecessary effort.

² 291 Neb. Admin. Code, Ch. 9, Rules 004,

c. **ShareFile™ vs Email Filing**

ShareFile™: Due to the large size of many documents required to be provided by Applicant and other parties in this rate proceeding, Applicant will use Microsoft ShareFile™ to transfer and file documents. The use of ShareFile avoids rejection of large files due to their electronic size. In addition, ShareFile will help the parties keep files of documents provided or produced throughout the proceeding in a central location and avoid time for Parties in sorting through multiple emails for documents.

d. **Confidential Documents**

- **Confidential Document Filings:** Applicant will provide Confidential documents in an electronic format only. A waiver of the Commission's Confidentiality requirements to (a) print out Confidential Information on Yellow Paper and (b) file that information under seal will not only save valuable preparation time but it will also create administrative efficiency.
- Applicant will mark Confidential information and indicate through the file name that document contains confidential information. Moreover, if not all of the document is considered as Confidential, then Applicant can highlight the information that is considered confidential with a yellow highlight. When appropriate, Applicant can provide a Public version of the document.

WHEREFORE, Applicant requests that the Nebraska Public Service Commission issue an Order in accordance with the State Natural Gas Regulation Act and any applicable existing or proposed rules or regulations of the Commission to waive the Commission's current rules and regulations to permit the Applicant to file its general rate filing in accordance with the description provided above.

Dated: May 1, 2025

**BLACK HILLS NEBRASKA GAS, LLC.,
D/B/A BLACK HILLS ENERGY, APPLICANT**

By: /s/ Douglas J. Law
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ATTORNEY FOR BLACK HILLS NEBRASKA GAS, LLC

Certificate of Service

The undersigned hereby certifies that a copy of the foregoing was served by e-mail or hand delivered on the 1st day of May 2025 upon the following individuals:

<p>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</p>	<p>Jonathan Smith Attorney Nebraska Public Service Commission 300 The Atrium, 1200 N Street P.O. Box 94927 Lincoln, NE 68509-4927 jon.smith@nebraska.gov</p>
<p>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</p>	<p>E-filing: psc.naturalgas@nebraska.gov</p>
<p>Chris Dibbern Attorney at Law Dibbern Law LLC 9411 Thornwood Drive Lincoln, NE 68512 DibbernLaw@gmail.com (402) 432-1706</p>	

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