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By Deena Ackerman at 12:25 pm, Oct 02, 2020

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-109

**MOTION TO WITHDRAW
TESTIMONY OF TYLER ROHACH**

Heartland Natural Gas, LLC (“Heartland”), by its attorneys, Rembolt Ludtke LLP, moves the Public Service Commission (“Commission”) to withdraw the testimony of Tyler Rohach, submitted on September 14, 2020 in this matter.

Heartland submitted an objection on September 29, 2020, stating that Heartland objects to the First Set of Discovery Requests from Black Hills Nebraska Gas, LLC d/b/a Black Hills Energy (Black Hills) in their entirety. Heartland further stated that, according to Rule 003.05C, as an Informal Intervenor in this proceeding, Heartland is allowed to submit a pre-filed statement on behalf a single witness, which it did. Heartland, however, is not allowed to participate in discovery, according to the same rule. Notwithstanding this objection, Heartland does not intend to unnecessarily consume the Commission’s administrative resources addressing issues that may be beyond the scope of the issues framed by this proceeding. Heartland’s Petition for Informal Intervention does not ask that concerns about Black Hills’ Options Program be addressed in this proceeding. Nor does the Petition for Informal Intervention make any request for relief. Heartland is not asking the Commission to address the concerns it has about Black Hills’ practices of allocating capacity costs to marketers in the above proceeding. Rather, Heartland has raised those issues in a Formal Complaint the commission has docketed No. FC-1369.

FOR THE ABOVE REASONS, Heartland hereby requests to withdraw the testimony of Tyler Rohach, submitted on September 14, 2020, in the above matter.

DATED: October 2, 2020

HEARTLAND NATURAL GAS, Intervenor

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was emailed on October 2, 2020, on the following:

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