

**BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION**

<b>In the Matter of the Application of</b>	)	
<b>Black Hills Nebraska Gas, LLC</b>	)	
<b>D/B/A Black Hills Energy,</b>	)	<b>Application No. NG-124</b>
<b>Rapid City, South Dakota</b>	)	
<b>Seeking Approval of a Natural Gas Rate Increase</b>	)	

**PETITION OF FORMAL INTERVENTION**

Pursuant to NEB. ADMIN. CODE, Tit. 291, Ch. 1, §002.12A, Thomas W. Tye, II of Tye and Rowling, PC. LLO, and Alex Goldberg of Eversheds Sutherland (US) LLP, petition the Nebraska Public Service Commission (the "Commission") to allow WoodRiver Energy, LLC ("WoodRiver"), to formally intervene in the above-captioned application filed by Black Hills Nebraska Gas, LLC D/B/A Black Hills Energy, Rapid City, South Dakota ("BH Nebraska Gas"), seeking approval of a natural gas rate increase. In support of this Petition for Formal Intervention, Wood River states as follows:

1. The name of the Intervenor is set forth above. Its address is:

WoodRiver Energy, LLC  
1401 17th St, Suite 1150  
Denver, CO 80202  
(720) 244-3713  
E-Mail: [don.krattenmaker@woodriverenergy.com](mailto:don.krattenmaker@woodriverenergy.com)

2. Communication and pleadings related to this petition and the above-captioned proceeding should be mailed or emailed to WoodRiver's representatives and attorneys of record:

Don Krattenmaker  
Chief Operating Officer  
WoodRiver Energy  
1401 17th St, Suite 1150  
Denver, CO 80202  
(720) 244-3713  
[don.krattenmaker@woodriverenergy.com](mailto:don.krattenmaker@woodriverenergy.com)

Alex Goldberg<sup>1</sup>  
Counsel to WoodRiver  
Eversheds Sutherland (US) LLP  
1196 S. Monroe St.  
Denver, CO 80210  
(918) 625-0047  
alexgoldberg@eversheds-sutherland.com

Thomas W. Tye II  
Local Counsel to WoodRiver  
Tye and Rowling  
1419 Central Avenue  
Kearney, Nebraska 68847  
(308) 237-3155  
tw2@tyelaw.com

2. WoodRiver is a Colorado limited liability company that has been granted a certificate to be a Competitive Natural Gas Provider (CNGP) under the State Natural Gas Regulation Act, Neb. Rev. Stat §§66-1801 to 66-1864.
3. WoodRiver is a natural gas supplier in the Nebraska serving customers on the BH Nebraska Gas system through the BH Nebraska Gas natural gas transportation tariff.
4. BH Nebraska Gas is proposing to modify its tariff to increase the rates it charges customers, including customers served by WoodRiver.
5. BH Nebraska Gas is proposing to further modify its tariff to adjust the terms of service for customers, including customers served by WoodRiver.
6. The proposed implementation of the rate increases and changes in terms of service would directly affect the pecuniary and financial interests of WoodRiver and its customers.
7. WoodRiver requests participation in this proceeding to allow WoodRiver to monitor and participate in this proceeding, if needed, to protect WoodRiver's interest.
8. WoodRiver's interests cannot be adequately represented by any other party to this proceeding. WoodRiver's formal intervention and participation in this proceeding is in the public interest.
9. Based upon the foregoing, WoodRiver is an interested party in this docket and desires to have party status as a Formal Intervenor so that it may participate in these proceedings.

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<sup>1</sup> Mr. Goldberg is listed as counsel subject to Commission action on his Motion for Admission Pro Hac Vice, which is being filed simultaneously herewith.

WHEREFORE, WoodRiver respectfully requests that the Commission, for the reasons stated above, grant WoodRiver Energy, LLC's petition to formally intervene in the application.

By: /s/ Thomas W. Tye, II  
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Kearney, Nebraska 68847  
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twt2@tyelaw.com

Local Counsel to WoodRiver

Alex Goldberg<sup>2</sup>  
1196 S. Monroe St.  
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Counsel to WoodRiver

Executed on June 5, 2025.

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<sup>2</sup> Mr. Goldberg is listed as counsel subject to Commission action on his Motion for Admission Pro Hac Vice, which is being filed simultaneously herewith.

## **CERTIFICATE OF SERVICE**

Pursuant to 291 Neb. Admin. Code§ 015(b), and the hearing officer's ruling service, the above Petition and copy of bar service was served upon all parties or their respective attorneys of record using the service list provided by the Commission electronically on this 5<sup>th</sup> day of June, 2025.

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**WOODRIVER ENERGY, LLC.**

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Thomas W. Tye, II, # [insert number]  
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1419 Central Avenue  
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<b>Seeking Approval of a Natural Gas Rate Increase</b>	)	

**MOTION FOR ADMISSION *PRO HAC VICE***

Thomas W. Tye, II, attorney for WoodRiver Energy, LLC, hereby moves the Commission for an Order admitting Alex Goldberg *pro hac vice* for the purpose of entering his appearance on behalf of WoodRiver Energy, LLC in this matter.

1. Thomas W. Tye, II, a resident of Nebraska, duly admitted to practice in the courts of record in Nebraska and has entered his appearance on behalf of the above-named formal intervenor in this action. Service may be had by him in all matters connected with this action.

2. Alex Goldberg will associate with Mr. Tye during his admission. Mr. Tye can confirm that Mr. Goldberg was admitted to and is a member in good standing of the bar of the State of Colorado, having been admitted on July 5, 1990. His Colorado state bar number is 19511.

3. In support of this motion, an affidavit and Certificate of Good Standing of Mr. Goldberg is attached.

WHEREFORE, Thomas W. Tye, II respectfully requests the Commission admit Alex Goldberg to practice *pro hac vice* before the Commission.

Dated this 5<sup>th</sup> day of June, 2025.

By: /s/ Thomas W. Tye, II  
Thomas W. Tye, II, # [insert number]  
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1419 Central Avenue  
Kearney, Nebraska 68847  
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**AFFIDAVIT OF ALEX GOLDBERG FOR ADMISSION *PRO HAC VICE***

I, Alex Goldberg, desiring admission *pro hoc vice*, affirm as follows:

1. I will be representing WoodRiver Energy, LLC in this matter.
2. I am licensed to practice law in the State of Colorado under bar number 19511.
3. I have been a member of the Colorado Bar Association since my admission to the bar in July, 1990. I am in good standing and am eligible to practice law in Colorado. I am not the subject of any disciplinary acts or investigations. A Certificate of Good Standing from the Clerk of the Supreme Court of the State of Colorado is attached.
4. Upon admission *pro hoc vice*, I will be subject to the Rules of Professional Conduct, Neb. Ct. R. of Prof. Cond. §§ 3-501.0 to 3-508.5.
5. I will be associating with Thomas W. Tye, II, counsel for WoodRiver Energy, LLC. He is a member of the Nebraska bar, duly and regularly admitted to practice in the courts of this state. All service of this matter may be directed through him. His contact information is as follows:

Thomas W. Tye, II, # [insert number]  
Tye and Rowling  
1419 Central Avenue  
Kearney, Nebraska 68847  
(308) [237-3155](tel:308-237-3155)  
[twt2@tyelaw.com](mailto:twt2@tyelaw.com)

Dated this 5<sup>th</sup> day of June, 2025.

/s/ Alex Goldberg  
Alex Goldberg  
Eversheds Sutherland (US) LLP  
1196 S. Monroe St.  
Denver, CO 80210  
(918) 625-0047  
[alexgoldberg@eversheds-sutherland.com](mailto:alexgoldberg@eversheds-sutherland.com)



**VERIFICATION**

STATE OF COLORADO     )  
                                      )  
COUNTY OF DENVER     )     ss:

Alex Goldberg, of lawful age, being first duly sworn upon his oath, states that:

He is Counsel in Commission **Application No. NG-124**; he has read the foregoing Affidavit of Alex Goldberg for Admission *Pro Hac Vice*, and upon information and belief, states that the matters therein appearing are true and correct.

\_\_\_\_\_  
Alex Goldberg

Executed on June 5, 2025.

Subscribed and sworn to before me, a Notary Public, this \_\_\_\_ day of June, 2025.

\_\_\_\_\_  
Notary

My commission expires: \_\_\_\_\_

### **CERTIFICATE OF SERVICE**

Pursuant to 291 Neb. Admin. Code§ 015(b), and the hearing officer's ruling service, the above Motion, Affidavit and copy of bar service was served upon all parties or their respective attorneys of record using the service list provided by the Commission electronically on this 5<sup>th</sup> day of June, 2025.

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**WOODRIVER ENERGY, LLC.**

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