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8/4/21
NATURAL GAS
DEPT.

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In The Matter Of Black Hills Nebraska Gas, LLC D/B/A) Application No. NG-111.3
Black Hills Energy, Rapid City, South Dakota, Seeking)
To Modify Its Tariff Due To The February 2021 Cold) **PETITION OF FORMAL**
Weather Event And Implement A Conversion Fee For) **INTERVENTION**
Commercial Sales Customers Who Convert To)
Transportation Service.)

Pursuant to NEB. ADMIN. CODE, Tit. 291, Ch. 1, §002.12A, Loel Brooks of Brooks, Pansing Brooks, PC, LLO, and Brandon M. Dittman, Kissinger & Fellman, P.C. 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 ("Black Hills"), seeking to modify its tariff due to the February 2021 cold weather event and implement a conversion fee for commercial sales customers who convert to transportation service. In support of this Petition for Informal Intervention, Wood River states as follows:

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

3300 E. 1st Avenue, Suite 600
Denver, Colorado 80206
Telephone: 720-244-3713
E-Mail: don.krattenmaker@woodriverenergy.com

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

Loel P. Brooks
Brooks, Pansing Brooks, PC, LLO
1314 O Street, Suite 104
Lincoln, NE 68508
lbrooks@brookspanlaw.com

Brandon M. Dittman
Kissinger & Fellman, P.C.
3773 Cherry Creek North Drive, Suite 900
Denver, CO 80209
Brandon@kandf.com

2. WoodRiver, a Colorado limited liability company, which 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 supplier in the Nebraska consumer choice program ("Energy Options Program") offered by Black Hills Nebraska Gas, LLC d/b/a Black Hills Energy ("Black Hills") a jurisdictional utility in Nebraska.

4. Black Hills is proposing to modify its tariff with regard to the Energy Options program to create a fee "applicable to any Commercial or Small firm gas sales customer who elects to convert its natural gas service from Commercial or Small firm rate schedules to the Energy Options Program or High Volume customer transportation programs."

5. The proposed implementation of this new fee would directly affect the pecuniary and financial interests of WoodRiver as it may disincentivize customers from participating in the Energy options Program.

6. WoodRiver requests participation in this proceeding to allow WoodRiver to monitor and participate in this proceeding, if needed, to protect WoodRiver's interest.

7. 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.

8. 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.

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

Dated this 14th day of August, 2021.



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Attorney for WoodRiver Energy, LLC

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 4th day of August, 2021.

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WOODRIVER ENERGY, LLC.



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BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Black Hills Nebraska Gas, LLC d/b/a)
Black Hills Energy, Rapid City, South Dakota, seeking) Application No. NG-111.3
to modify its tariff due to the February 2021 cold)
weather event and implement a conversion fee for) APPLICATION FOR *PRO HAC*
commercial sales customers who convert to) VICE ADMISSION
transportation service.)

MOTION FOR ADMISSION *PRO HAC VICE*

Loel Brooks, attorney for WoodRiver Energy, LLC, hereby moves the Commission for an Order admitting Brandon M. Dittman *pro hac vice* for the purpose of entering his appearance on behalf of WoodRiver Energy, LLC in this matter.

1. Loel Brooks is 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. Brandon M. Dittman will associate with Loel Brooks during his admission. Mr. Brooks can confirm that Mr. Dittman is an active member in good standing with the Colorado Bar Association. He was admitted to the Colorado bar in November, 2014.

3. In support of this motion, an affidavit of Mr. Dittman is attached, as well as his certification of good standing.

WHEREFORE, Brandon M. Dittman respectfully requests the Commission admit Brandon M. Dittman to practice *pro hac vice* before the Commission.

Dated this 4th day of August, 2021.



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(402) 476-3300
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Attorney for WoodRiver Energy, LLC

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Black Hills Nebraska Gas, LLC d/b/a) Application No. OP-0003
Black Hills Energy, Rapid City, South Dakota, seeking)
to modify its tariff due to the February 2021 cold) APPLICATION FOR *PRO HAC*
weather event and implement a conversion fee for) VICE ADMISSION
commercial sales customers who convert to)
transportation service.)

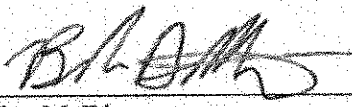
AFFIDAVIT OF BRANDON M. DITTMAN FOR ADMISSION *PRO HAC VICE*

I, Brandon M. Dittman, desiring admission *pro hac 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 47583.
3. I have been a member of the Colorado Bar Association since my admission to the bar in November 2014. I am in good standing and am eligible to practice law in Colorado. I am not the subject of any disciplinary acts or investigations. My certificate of good standing is attached.
4. Upon admission *pro hac 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 Loel Brooks, 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:

Loel P. Brooks
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1314 O Street, Suite 104
Lincoln, NE 68508
402-476-3300
lbrooks@brookspanlaw.com

Dated this 4th day of August 2021.


Brandon M. Dittman
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Denver, CO 80209
303-320-6100

ALEXANDRA MARIE SMITH
NOTARY PUBLIC - STATE OF COLORADO
Notary ID #20144030281
My Commission Expires 8/30/2022

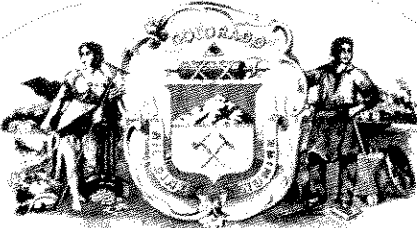
Brandon@kandf.com
Attorney for WoodRiver Energy, LLC

Subscribed and sworn to before me by Brandon M. Dittman, who personally appeared before me
on this 4th day of August 2021.

Alexandra Marie Smith
Notary Public

30th August 2022
My commission expires

SUPREME COURT



State of Colorado.

STATE OF COLORADO, ss:

I, Cheryl Stevens, Clerk of the Supreme Court of the State of Colorado, do hereby certify that

Brandon Michael Dittman

has been duly licensed and admitted to practice as an

ATTORNEY AND COUNSELOR AT LAW

within this State; and that his/her name appears upon the Roll of Attorneys

and Counselors at Law in my office of date the 3rd

day of November A.D. 2014 and that at the date hereof

the said Brandon Michael Dittman is in good standing at this Bar.



IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the Seal of said Supreme Court, at Denver, in said State, this

3rd day of August A.D. 2021

Cheryl Stevens

Clerk

By

Deputy Clerk

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 4th day of August, 2021.

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Docket No. NG-111.3

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The undersigned hereby certifies that as counsel of record for WoodRiver Energy, LLC ("WoodRiver"), a copy of this Certificate of Service, along with the Motion for Admission to Practice in Nebraska by a Nonresident Attorney for WoodRiver was served electronically on the 4th day of August, 2021, upon the following:

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Docket No. NG-111.3

This matter comes before the Commission on the Motion of Brandon M. Dittman, a nonresident attorney, for Admission to Practice in Nebraska. Being duly advised of the premises, the Commission finds said Motion should be granted.

IT IS THEREFORE SO ORDERED.

MADE AND ENTERED in Lincoln, Nebraska, this _____ day of August, 2021.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman:

ATTEST:

Executive Director