

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

**IN THE MATTER OF BLACK HILLS/)
NEBRASKA GAS UTILITY COMPANY, LLC)
D/B/A BLACK HILLS ENERGY, OMAHA,) DOCKET NO. NG ____
SEEKING A GENERAL RATE INCREASE FOR)
BLACK HILLS ENERGY'S RATE AREAS ONE,)
TWO AND THREE (CONSOLIDATED))**

Direct Testimony of Glenn W. Dee

State Regulatory Manager

Working Capital and Pro-Forma Adjustments

December 1, 2009

Glenn W. Dee
1815 Capitol Avenue
Omaha, NE 68102
402-221-2020

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EXHIBITS

Exhibit No. GWD - 1: Rate Case Expense Exhibit – (Black Hills Energy)

1 **I. INTRODUCTION**

2 **Q. PLEASE STATE YOUR NAME, POSITION, AND BUSINESS ADDRESS.**

3 A. My name is Glenn W. Dee. I am State Regulatory Manager for Black
4 Hills/Nebraska Gas Utility Company, LLC d/b/a Black Hills Energy (hereafter
5 referred to as "Black Hills Energy"). My business address is 1815 Capitol
6 Avenue, Omaha, Nebraska, 68102.

7 **Q. WHAT IS YOUR EDUCATIONAL BACKGROUND AND WORK
8 EXPERIENCE?**

9 A. I received a Bachelor of Arts in Business Administration, with a emphasis in
10 Accounting from Clark College, Atlanta, Georgia, in 1971. I received my
11 Masters of Business Administration degree from the University of Nebraska at
12 Omaha in 1975. Subsequently, I have completed requirements for and received a
13 Certificate in Management Accounting (CMA) issued by the National Association
14 of Accountants. I also have received a Nebraska Certified Public Accountant
15 certificate.

16 I began my employment with the Peoples Natural Gas, division of InterNorth, Inc.
17 in June of 1972. That business unit was later purchased by UtiliCorp United Inc.
18 in 1985, which later changed the Peoples Natural Gas name to Aquila, Inc. and
19 conducted its business under the "Aquila" or "Aquila Networks" name.

20 While employed with Black Hills Energy, and its predecessors-in-interest, I have
21 held numerous accounting and accounting-related positions such as Auditor,
22 Supervisor of Disbursement Accounting, Supervisor of General Accounting,
23 Director of Operational Planning, and Director of Property and Disbursement

1 Accounting. I joined the Regulatory Department of Peoples Natural Gas in May,
2 1984 and became State Regulatory Manager for Colorado and Nebraska in June
3 2000. Additional related experience includes preparing financial rate case
4 information for and testifying before the Minnesota Public Utilities Commissions,
5 Colorado Public Utilities Commission, and the Iowa Utilities Board. I have also
6 served as a rate consultant for the cities of Tallahassee, Florida and Safford,
7 Arizona.

8 **Q. WHAT ARE THE PRINCIPLE DUTIES IN YOUR PRESENT POSITION?**

9 A. As the State Regulatory Manager for Black Hills Energy's Nebraska operations, I
10 am responsible for, among other things, providing management with rate
11 information for Nebraska. I participate in the preparation of rate-of-return, cost of
12 service, rate design and other rate related studies and filings for Nebraska. I also
13 direct the preparation of financial exhibits and other information for regulatory
14 filings with the various state commissions and local jurisdictions.

15 **Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?**

16 A. I will (a) address and support the filing requirements for a General Rate filing
17 required by the State Natural Gas Regulation Act and Nebraska Public Service
18 Commission Rules and Regulations, (b) explain and support how Working
19 Capital was computed, (c) sponsor and support the pro-forma adjustment for rate
20 case amortization, and (d) sponsor and support proposed changes in certain tariff
21 sheets.

22 **Q. ARE YOU SPONSORING ANY EXHIBITS TO YOUR TESTIMONY?**

1 A. Yes. I prepared and am sponsoring Exhibit No. GWD – 1. That exhibit relates to
2 Black Hills Energy’s Rate Case Expense adjustment described more fully below.

3 **II. FILING REQUIREMENTS**

4 **Q. EXPLAIN THE FILING REQUIREMENTS AND HOW THE FINANCIAL**
5 **EXHIBITS ARE ORGANIZED.**

6 A. The State Natural Gas Regulation Act, enacted as Nebraska Revised Statutes
7 sections 66 -1801 to 66-1857 (2003), (hereafter referred to as the “Act”) along
8 with Chapter 9, Rule 004 of the Commission’s Rules and Regulations require that
9 jurisdictional utilities include certain financial information in any general rate
10 filing. In addition, the Nebraska Public Service Commission in an Order issued
11 on July 24, 2007 in Application No. NG-0041 required certain additional financial
12 information be included in Black Hills Energy’s next general rate filing.
13 Accordingly, my testimony will explain and support these required financial
14 schedules. My testimony will also support two proposed adjustments to the Base
15 Year, and the Working Capital Computation used in Black Hills Energy’s filing.

16 **Q. WHAT DOES THE ACT AND COMMISSION REGULATION REQUIRE**
17 **BLACK HILLS ENERGY TO FILE IN SUPPORT OF ITS REQUEST FOR**
18 **AN INCREASE IN NATURAL GAS RATES?**

19 A. The Commission’s Rules and Regulations require several documents to be filed.
20 For example, Rule 004.01 of the Commission’s Rules and Regulations require
21 Black Hills Energy to include eight copies of the most recent annual report to
22 stockholders, and eight copies plus an electronic copy of the following
23 information, verified by a statement under oath by an officer: (1) A description

1 of the base year and test year; (2) A financial summary showing aggregate
2 amounts for rate base, operating revenue, operating expenses, and rate-of-return
3 for the base year and test year using natural gas rates currently in effect and using
4 proposed natural gas rates; (3) Rate Base schedules showing beginning and
5 ending balances for the base year and test year of utility plant and accumulated
6 depreciation and amortization showing the balance by functional account totals;
7 (4) Working Capital, showing the manner in which it is calculated; (5) Allocated
8 rate base components showing the manner in which the components are
9 calculated; (6) Operating expense schedules for the base year and test year, rate-
10 of-return and cost-of-capital schedules; (7) Operating revenue schedules showing
11 number and classification of customers, volume of sales, and operating revenue
12 by customer classes for the base year on an unadjusted basis and for the test year
13 on a normalized basis, using current and proposed rates, and (8) Rate-of-return
14 and cost-of-capital schedules showing, among other things, long-term debt,
15 preferred stock, and common equity ratios, and percentage cost rates for the base
16 year and test year and those amounts at the beginning and end of the base year
17 and test year.

18 In addition, Commission Rules and Regulations require filing electronic copies of
19 documents detailing calculations in support of the rate filings, and of a cost of
20 service study model to be used by the jurisdictional utility in the rate case.
21 Additionally, the Commission's July 24, 2007 Order in Black Hills Energy's most
22 recent general rate case in Docket No. NG – 0041, requires that the Black Hills

1 Energy rate filing schedules used to determine its revenue requirement include
2 both total Nebraska amounts and the Commission’s jurisdictional amount.

3 **Q. DOES YOUR FILING COMPLY WITH THE ACT AND THE**
4 **COMMISSION’S RULES AND REGULATIONS?**

5 A. Yes. All of the documents, explanations, and rate principles required by the Act,
6 the Commission’s Rules and Regulations, and prior Commission orders can be
7 found in the Application behind the following tabs: “Financial”, “Base Year”,
8 “Test Year”, “Test Year Proposed”, “Adjustments”, “Class Cost of Service
9 Study”, and “Working Capital”, “Filing Application,” “Definitions and General
10 Information,” “Adjustments,” “Class Cost of Service Study,” “Working Capital,”
11 “Proposed Rate Schedules,” “Current Rate Schedules,” and “2008 Annual
12 Report.” The information included in the rate application filed by Black Hills
13 Energy is consistent with or supplemental to the type of information submitted by
14 Aquila and accepted by the Commission in its prior Nebraska rate cases.

15 **Q. WHAT INFORMATION CAN BE FOUND IN EACH OF THE SECTIONS?**

16 A. The “Financial” section (Exhibit I) summarizes the revenue deficiency
17 computation. The “Base Year” section (Exhibit II) provides unadjusted financial
18 data from the Company’s books and records for the twelve-month period ending
19 July 31, 2009. The “Test Year” section (Exhibit III) provides financial
20 information showing known and measurable adjustments made to the Base Year.
21 The “Test Year Proposed” section (Exhibit IV) summarizes the allocation of the
22 proposed revenue increase among customer classes and the proposed rates. The
23 “Adjustments” section (Exhibit V) details all pro forma adjustments applied to the

1 Base Year. The “Class Cost of Service Study” section (Exhibit VI) conforms to
2 Commission rules, summarizes the cost allocation procedures used to allocate
3 indirect cost to the various customer classes. The “Working Capital” section
4 (VII) explains more thoroughly how Black Hills Energy computed Cash Working
5 Capital.

6 **Q. PLEASE EXPLAIN THE DIFFERENCE BETWEEN THE BASE YEAR**
7 **AND THE TEST YEAR?**

8 A. The base year is the twelve months ending July 31, 2009, reflecting actual
9 financial performance as recorded in the Company’s financial books and records.
10 The test year was derived by taking the base year and adjusting it for known and
11 measurable changes, as well as applying a normalization adjustment, as required
12 by the Act, and an annualized adjustment to correct for out-of-period billing
13 entries.

14 **III. WORKING CAPITAL**

15 **Q. PLEASE EXPLAIN HOW WORKING CAPITAL WAS COMPUTED.**

16 A. Working Capital is a component of Rate Base and can be found on Schedule B, of
17 Exhibits II and III of Black Hills Energy’s rate application. Working Capital is
18 comprised of prudent inventories of materials and supplies, including gas storage
19 inventories, prepayments and a cash working capital component. Accumulated
20 Reserve for Deferred Income Taxes, Contributions in Aid of Construction, Rate
21 Payer Deposits, and Customer Advances are all included as adjustments that
22 offset the need for working capital.

23 **Q. HOW WAS CASH WORKING CAPITAL COMPUTED?**

1 A. As it has done in prior rate cases submitted by Aquila, Black Hills Energy
2 computed working capital included in this rate application by preparing a working
3 capital study. That study uses a Lead/Lag Methodology (also referred to as a
4 lead-lag study) in computing Cash Working Capital. The Lead/Lag Methodology
5 measures the amount of cash working capital needed by looking at the timing
6 difference between when cash comes in and when it is disbursed for various
7 expenses. The actual computation is explained more fully in the tab labeled
8 “Working Capital”. This cash working capital computation is consistent with
9 the method approved by the Commission in Aquila’s last rate case in Docket No.
10 NG-0041.

11 **IV. ADJUSTMENTS**

12 **Q. WHAT ADJUSTMENTS ARE YOU SPONSORING?**

13 **A.** I am sponsoring Adjustment #7, Rate Case Expense.

14 **Q. WHAT ADJUSTMENT IS BLACK HILLS ENERGY PROPOSING TO**
15 **ACCOUNT FOR RATE CASE EXPENSE?**

16 **A.** Black Hills Energy is estimating that the total cost of completing this rate case
17 will be approximately \$750,000. This estimated cost would cover outside legal
18 representation, outside consultants, filing fees, and miscellaneous out-of-pocket
19 expenses. However, in Black Hills’/Aquila’s 2006 General Filing for a Rate
20 Increase in Docket No. NG-0041, the “Rate Case Expense” cost estimate included
21 and approved by the Nebraska Public Service Commission was \$500,000, but
22 actual costs were \$1,197,050. The case was not settled, and became the first fully
23 litigated case before the Commission under the State Natural Gas Regulation Act.

1 In addition to full evidentiary hearings and reconsideration hearings before the
2 Public Service Commission, several issues were ultimately appealed to the
3 Lancaster County District Court. As the Commission knows, the applicant bears
4 the burden of proof. This burden increases the rate case expense due to additional
5 legal and regulatory expertise needed to prove that its application and
6 Commission approval result in “just and reasonable” rates. The actual rate case
7 expenses in the 2006 Aquila rate case amounted to \$1,197,050. Only \$254,630 of
8 the 2006 rate case expense has been recovered in rates. Black Hills Energy is
9 proposing to recover the additional \$942,420 of cost incurred for prosecuting the
10 2006 rate case in the 2009 General Filing for a Rate Increase. This brings the
11 total 2009 rate case expense to \$1,692,420. All of the expenses incurred by the
12 Public Advocate, its consultants, the Commission and its consultants for the
13 proceedings before the Commission and the Court were fully recovered by the
14 respective entities; i.e. all parties except the Applicant, the utility. The Appeal
15 was determined to be needed for further court determination of some of the issues
16 denied by the Commission in its order or in defense of an appeal brought by the
17 Public Advocate in its separate appeal of the Commission’s decision. The rate
18 case adjustment in this case appropriately seeks to recover the actual rate case
19 cost of the Company in addressing all of the issues raised in that rate case
20 proceeding just as the Public Advocate and the Commission has recovered its
21 costs for those proceedings.

22 **Q. HOW MUCH RATE CASE EXPENSE IS CURRENTLY IN THE BASE**
23 **YEAR?**

1 A. The Base Year currently includes \$399,026 in rate case expense.

2 **Q. HOW IS BLACK HILLS ENERGY PROPOSING TO RECOVER THE**
3 **2009 RATE CASE EXPENSE?**

4 A. Black Hills Energy is proposing a two step adjustment in this case: 1) remove
5 the \$399,029 rate case expense from the Base Year with a Test Year pro forma
6 adjustment, and 2) add back the 2009 rate case expense (\$1,692,420) using either
7 one of two proposed recovery alternatives, as approved by the Commission. Due
8 to the variable and unpredictability of rate case expenses, some of which is driven
9 by the issues raised by other participants in the case, Black Hills Energy proposes
10 a one-time surcharge, but would also not oppose the two-year rider as explained
11 more fully below.

12 **Q. WHAT ALTERNATIVES DOES BLACK HILLS ENERGY PROPOSE**
13 **FOR COLLECTING THE 2009 RATE CASE EXPENSE?**

14 A. The first alternative Black Hills Energy is proposing is one similar to what is
15 already being done with rate case expense attributed to the cost incurred by the
16 Public Advocate and the Nebraska Public Service Commission in analyzing and
17 adjudicating request for General Rate Increases. Section 66-1841 (6)(b) states
18 “On and after June 1, 2007, the commission by general rule and regulation shall
19 authorize the recovery of the amount of any assessments or charges paid to the
20 commission pursuant to this section and section 66-1840 in a general rate filing or
21 through a special surcharge...”. Accordingly, Black Hills Energy is proposing a
22 one-time surcharge to recover its rate case expenses similar to the method used to

1 recover the rate case expenses of the Commission and Public Advocate. The
2 one-time surcharge would be approximately \$8.64 cents per customer.

3 **Q. WHAT IS THE SECOND ALTERNATIVE YOU ARE PROPOSING FOR**
4 **COLLECTING THE 2009 RATE CASE EXPENSE?**

5 A. Black Hills Energy's second alternative would be to propose a Rate Case Rider to
6 recover the 2009 rate case expense on a flat charge per customer each month over
7 two years. Based on 195,721 customers and \$1,692,420 in rate case expense this
8 would be \$.36 cents per customer per month for two years. At the end of two
9 years the Rider would be discontinued.

10 **Q. HAS BLACK HILLS ENERGY, OR ITS PREDECESSOR-IN-INTEREST,**
11 **EVER USED A RATE CASE EXPENSE RIDER BEFORE?**

12 A. Yes, Black Hills Energy – Colorado Gas, then known as Aquila, had a rate case
13 expense rider implemented by the Colorado Public Utilities Commission in
14 Aquila's 1992 Rate case.

15 **Q. WHY SHOULDN'T BLACK HILLS ENERGY'S RATE CASE EXPENSE**
16 **BE TREATED LIKE ANY OTHER O&M EXPENSE IN THIS CASE?**

17 A. Rate Case Expense is not like most O&M Expenses incurred by the utility. As an
18 example most other O&M expenses occur on a regular and routine basis. Payroll,
19 Health Care Cost, Utility Expense, Insurance etc occur biweekly, monthly, or
20 quarterly etc. Rate Case Expense may occur every two, three or more years.
21 State law does not require a jurisdictional utility to file a rate case every three
22 years. Instead, filing every three years is often the practice adopted by
23 jurisdictional utilities due to the significant expense and resources needed to

1 present and prosecute a rate application. As the Commission knows, even in
2 Nebraska, there are examples where a utility may file a new rate case within a
3 couple years or not for several or more years. Moreover, it is inappropriate to
4 suggest that rate cases benefit only a utility's shareholders. While it is fair to state
5 that rate cases provide shareholders its right to recover its legitimate cost of
6 service and a reasonable return on the investment provided for its utility service, a
7 rate case also provides ratepayers, through the Commission, an opportunity to
8 adjust rates of return and to remove expenses that were approved for inclusion in
9 rates during prior rate proceedings. Thus, since the litigation costs are tied
10 primarily to the prosecution of the rate application, and because the Commission
11 has established surcharges for its expenses and for those of the Public Advocate,
12 Black Hills Energy proposes adding in a surcharge to collect its rate case
13 expenses too.

14 **Q. ARE THERE ADVANTAGES TO THE PROPOSED ALTERNATIVES?**

15 A. Yes, as noted above, Black Hills Energy acknowledges an advantage in reducing
16 the time period over which it can recover its rate case expenses. A one-time
17 surcharge would permit the quickest recovery and put Black Hills Energy in the
18 same position as the Public Advocate and the Commission. In addition, a two-
19 year surcharge rider permits faster recovery than the method of recovery approved
20 in several rate proceedings under both the Municipal Natural Gas Regulation Act
21 and now the State Natural Gas Regulation Act. The difference between prior
22 approved rate case recovery methodology and these proposals is that under both
23 of the alternatives proposed in this rate application is that Black Hills Energy

1 would be allowed to recover only its actual cost of rate case expense and nothing
2 more. Additionally, the Customers benefit from that proposal because rate case
3 expense would no longer be built into the customer's rate as it was under the
4 traditional approved method. In those cases, the customer could end up paying
5 more than the actual cost when the time period between utility rate cases exceed
6 two or more years. Another advantage to the customer is the cost of the rate case
7 is not included in the customer's monthly rate (alternative one), or the cost of the
8 rate case disappears after two years (alternative two). Another benefit to moving
9 away from the prior recovery method is that prior under-recovered amounts of
10 rate case expense would not need to roll forward into the next case. Black Hills
11 Energy notes that a one-time transition cost for rate case expense unrecovered
12 from the prior rate case is included in this case. However, that remaining rate case
13 expense is proposed for recovery in this case only. Approval of the rate case
14 expense under either of the Black Hills Energy proposed alternatives means that
15 future cases will not have over or under recovery of rate case expense because the
16 actual rate case expense of that case will be fully recovered after that case –
17 nothing more and nothing less. The proposed methods of recovery of rate case
18 expense in this rate application are more precise than predicting the cost of
19 litigation of a case.

20 **Q. WHAT METHOD OF RECOVERY DID THE COMMISSION APPROVE**
21 **IN PRIOR RATE CASES FOR HANDLING RATE CASE EXPENSE?**

22 A. In the last two rate cases, the Rate Case Expense was divided in three equal
23 amounts. One third of the Rate Case Expense was included in O&M, and one

1 third was included in Rate Base. This rate case expense recovery method was
2 adopted by the parties and then approved by the Commission in those cases. The
3 method reflected the historic practice of Black Hills Energy, which traditionally
4 filed for a rate case about every three years. The inclusion of “Rate Case
5 Expense” in O&M and Rate Base meant that the Rate Case Expense ultimately
6 became a part of the customer’s billing rate. Over/under recovery of rate case
7 expense could make recovery of that expense a variable recovery amount due to
8 the following factors: 1) increased or decreased customer usage and 2) the time
9 period between rate cases?

10 **Q. IS BLACK HILLS ENERGY PROPOSING THAT THE PRIOR RATE**
11 **CASE RECOVERY METHOD CONTINUE IN THIS CASE?**

12 A. To be clear, Black Hills Energy is requesting that it recover its rate case expense.
13 However, Black Hills Energy proposes and would prefer either of the two
14 alternative rate case expense recovery methods described above: (1) immediate
15 one-time surcharge or (2) two-year rate case expense rider. Black Hills Energy
16 would prefer a one-time surcharge, but is not opposed to a two-year rider. The
17 most important factor is that Black Hills Energy recover all of its rate case
18 expenses just as other utilities in this state do, like the Public Advocate does, like
19 the Commission does, and like all of the consultants participating in this case do.
20 Either of these options appears to more closely match the level and timing of this
21 rate case expense with the recovery of the necessary expense.

22
23

1 **V. PROPOSED TARIFF SHEETS**

2 **Q. HAS BLACK HILLS ENERGY FILED PROPOSED TARIFFS IN THIS**
3 **PROCEEDING?**

4 A. Yes, in compliance with the Act, Black Hills Energy has filed proposed tariffs in
5 this proceeding. Black Hills Energy has filed proposed tariffs to reflect the new
6 customer charges and commodity margins shown in Index No.13 and sponsored
7 by Mr. Sullivan. In addition, Black Hills Energy will be making some narrative,
8 i.e., “house-keeping,” changes to several pages of the tariffs addressing its current
9 operations. For example, Black Hills Energy proposes changes to Index No. 21,
10 Index No. 23, and Index No. 26, all of which I am sponsoring. These specific
11 changes can be seen on the Red Line version of those tariff pages included with
12 this filing.

13 **Q. WHAT CHANGES ARE YOU PROPOSING TO MAKE TO INDEX NO. 21?**

14 A. In index No. 21 the definition for customer states “Customer shall mean any non-
15 interruptible purchaser of natural gas within a municipality with requirements of
16 less...”. Since Black Hills Energy serves some customers outside of a
17 municipality, it proposes to eliminate the phrase “within a municipality”.

18 **Q. WHAT CHANGES ARE YOU PROPOSING TO MAKE TO INDEX NO. 23?**

19 A. Index No. 23 Billing and Payment still references Aquila, Inc’s “Streamline Plan”
20 that expired March 31, 2008. The proposed change will eliminate this outdated
21 reference to Aquila’s Streamline and Checkline Plan (paragraph 3. A & B), and
22 replace that reference with Black Hills Energy’s current “Budget billing and

1 Checkline Plans that became effect April 1, 2008 (currently paragraph 4. A & B)“
2 The remaining paragraph will be renumbered from paragraph 4 to paragraph 3.

3 **Q. WHAT CHANGES ARE YOU PROPOSING TO MAKE TO INDEX NO. 26?**

4 **A.** The heading of the Tariff includes the word “Proposed” in brackets. The tariff is
5 no longer “Proposed”, but was approved effective November 1, 2007. The word
6 “Proposed” will be removed.

7 **Q. ARE THERE ANY OTHER PROPOSED TARIFFS YOU ARE**
8 **SPONSORING?**

9 **A.** Yes, I will be sponsoring changes to the General Index, Superseded Index, and the
10 General Rules and Regulation Index. These are Index No. 1, Index No. 2, and
11 Index No. 20 respectively. Changes in these indices merely reflect the updates
12 Black Hills Energy proposes in the tariff sheets submitted with this rate
13 application.

14 **Q. HAS BLACK HILLS ENERGY INCLUDED A LEGISLATIVE OR RED-**
15 **LINED VERSION OF THE PROPOSED CHANGES TO ITS TARIFFS,**
16 **RULES AND REGULATIONS?**

17 **A.** Yes, Black Hills Energy has included a Red-Lined version of the proposed
18 changes to its Tariffs, Rules and Regulations as part of it rate application. Those
19 revised tariff pages should be approved by the Commission as part of this rate
20 proceeding.

21 **Q. DOES THIS CONCLUDE YOUR PRE-FILED DIRECT TESTIMONY?**

22 **A.** Yes it does.

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

IN THE MATTER OF BLACK HILLS/)
NEBRASKA GAS UTILITY COMPANY, LLC)
D/B/A BLACK HILLS ENERGY, OMAHA,) APPLICATION NO. NG ____
SEEKING A GENERAL RATE INCREASE FOR)
BLACK HILLS ENERGY'S RATE AREAS ONE)
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VERIFICATION

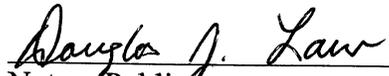
STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

Glenn W. Dee, of lawful age, being first duly sworn, deposes and says that he is the Nebraska State Regulatory Manager for, Black Hills/Nebraska Gas Utility Company, LLC d/b/a Black Hills Energy that he has read the foregoing testimony, knows the contents thereof, and that the statements and allegations therein contained, including the information provided herewith pursuant to the State Natural Gas Regulation Act, are true to the best of his information, knowledge, and belief.



Glenn W. Dee

SUBSCRIBED AND SWORN TO before me this 23rd day of November, 2009.



Notary Public

