

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF
SOUTH DAKOTA**

In the Matter of the Application of
Montana-Dakota Utilities Co. a Division
Of MDU Resources Group, Inc. for Authority
to Increase its Natural Gas Rates

Docket No. NG15-005

**Petition to Intervene
Federal Executive Agencies**

THE FEDERAL EXECUTIVE AGENCIES' PETITION TO INTERVENE

In accordance with South Dakota Codified Law (SDCL) § 1-26-17.1, § 49-1-11(2),(4), and 49-34A-13.1, and the Administrative Rules of South Dakota (ARSD) 20:10:01:15.02 and 20:10:01:15.03, the Federal Executive Agencies (FEA) through duly authorized counsel, hereby respectfully submits its Petition to Intervene in the above-captioned docket to the Public Utilities Commission of South Dakota (the Commission). In support of its Petition, the FEA states as follows:

1. The FEA consists of certain agencies of the United States Government which have offices, facilities, and installations, including Ellsworth Air Force Base (AFB), within the service area of Montana-Dakota Utilities Company (MDU) and that purchase natural gas utility services from MDU. The Department of Defense has been delegated authority by the General Services Administration to represent, through Department of the Air Force counsel, the consumer interests of the FEA in this proceeding under 40 U.S.C. 121(d) and 501(c).

2. In accordance with ARSD 20:10:01:15:03, "a petition to intervene shall set out clearly and concisely the facts supporting the petitioner's alleged interest in the proceeding and, to the extent known, the position of the petitioner in the proceeding."

3. FEA customers' pecuniary interests will be directly and immediately impacted by the Commission's decision concerning MDU's requested rate increase. Ellsworth AFB purchases significant amounts of natural gas from MDU. In its application, MDU proposes an increase of 3.3% to the Large Interruptible rate, which is the rate under which Ellsworth AFB receives service. This rate case comes closely on the heels of another significant rate increase imposed by MDU. The growing utility costs imposed by MDU threatens to decrease the amount of funds available for Ellsworth AFB's other operational expenses and, thereby, potentially cause significant impacts to its mission. The nature and extent of FEA's financial and operational interest in the proceeding warrant its status as an intervener. FEA is still reviewing MDU's expert direct testimony and reserves the right to present evidence on issues that may arise in this docket and that are relevant to FEA's interests.

4. FEA's interests in this matter are unique and will not be adequately represented by any other party and FEA's participation will not unduly delay these proceedings.

5. FEA timely requests intervention in this proceeding.

6. FEA requests that it be permitted to intervene as a full party in this docket, including, but not limited to, the right to present testimony and exhibits, file motions, present argument and cross-examine witnesses.


7. A copy of this petition has been served on all parties to this proceeding. Copies of all notices, orders or pleadings in this proceeding should be served on:

<p>John C. Degnan, Lt Col, USAF AFLOA/JACE-ULFSC 139 Barnes Drive, Suite 1 Tyndall Air Force Base, Florida 32403-5319 850-283-6347 John.Degnan@us.af.mil Org Box: ULFSC.Tyndall@us.af.mil (Pennsylvania Bar # 84076)</p>	<p>Juan J. Godinez, Capt, USAF AFLOA/JACE-ULFSC 139 Barnes Drive, Suite 1 Tyndall Air Force Base, Florida 32403 850-283-6350-5319 Juan.Godinez.2@us.af.mil Org Box: ULFSC.Tyndall@us.af.mil (Arizona Bar # 028904)</p>
<p>Mr. Thomas A. Jernigan AFLOA/JACE-ULFSC 139 Barnes Drive, Suite 1 Tyndall Air Force Base, Florida 32403-5319 850-283-6663 Thomas.Jernigan.2@us.af.mil (Ohio Bar # 84008)</p>	

8. The undersigned attorney and the attorneys listed above, collectively constituting counsel for FEA, are out-of-state attorneys admitted to practice law before the highest court of their respective states and are in good standing before their respective state bars. Counsel for FEA intend to each submit a written sworn motion requesting admission with the appropriate circuit court pursuant to SDCL § 16-18-2.

WHEREFORE, for the reasons stated above, FEA respectfully requests that the Commission enter an order granting FEA's Petition to Intervene.

Respectfully submitted this 29th day of July 2015.



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(*Pro Hac Vice* Pending)