



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS AIR FORCE LEGAL OPERATIONS AGENCY

BEFORE THE
NORTH DAKOTA PUBLIC SERVICE COMMISSION

**MONTANA-DAKOTA UTILITIES CO., A DIVISON)
OF MDU RESOURCES GROUP, INC.)
2023 NATURAL GAS RATE INCREASE APPLICATION)**
_____)

Case No. PU-23-341

February 22, 2024

Darrell Nitschke, Executive Secretary
North Dakota Public Service Commission
State Capital Building
600 E. Boulevard A venue
Bismarck, ND 58505

Secretary Nitchke:

Enclosed for filing on behalf of Federal Executive Agencies (“FEA”) is a Petition for Intervention.

Thank you for your assistance. If you should have any questions about this filing, please does not hesitate to contact me.

Sincerely,

Attorneys for Federal Executive Agencies

By: /s/ Leslie R. Newton
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Enclosure:
Cc: Petition to Intervene
Counsel for Parties of Record (w/enc)

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PETITION FOR LEAVE TO INTERVENE

Cornes Now Federal Executive Agencies (FEA), pursuant to Commission Rules of Practice and Procedure 69-02-02-05, respectfully petitions for intervention as an intervenor party in the above-captioned matter. In support of this petition, FEA states and alleges as follows:

1. FEA consists of certain agencies of the United States Government that have offices, facilities, and/or installations in the service area of Montana-Dakota Utilities (MDU), which has filed a general rate case. Chief among the Federal customers served by MDU is Minot Air Force Base (AFB). Minot AFB is a major consumer of gas purchased from MDU, and an increase in rates could affect the ability of Minot AFB to operate many of its loads to the fullest extent possible, and thereby affect the military mission of Minot AFB. The Department of Defense has delegated authority by the General Services Administration to represent, through Department of the Air Force counsel, the consumer interest of the FEA in this proceeding under 40 U.S.C. §121(d) and §501(c) [these sections supersede 40 U.S.C. §481(a)(4) and §486(d)].

2. FEA intends to address the reasonableness of MDU's class cost of service study, rate of return and proposed revenue requirement study. FEA continues to examine the public filings and preserves the right to be heard on additional issues that may arise in this matter. Gas costs represent one of the largest variable expenses of operating the Federal offices, facilities, and installations on whose behalf intervention is sought herein, and all will be significantly affected by an increase in rates. For the aforementioned reasons, we submit that FEA has a substantial interest in the proceedings in this Docket, which no other party can adequately represent.

3. FEA believes intervention and participation in this proceeding would serve the interests of Minot AFB and other federal agencies receiving service from MDU. FEA's intervention would not unduly delay the proceedings, nor would it prejudice the rights of other parties.

4. All correspondence concerning this docket should be directed to the following:

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WHEREFORE, the FEA request that the Commission grant this Request to Intervene and that they be accorded full party status in this Docket.

Respectfully submitted this 22nd day of February, 2024.

Attorneys for Federal Executive Agencies

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been furnished by electronically and/or by U.S. mail on this 22nd day of February, 2024 to the following:

<p>Montana-Dakota Utilities Co. Allison Waldon, MDU Resources Group, Inc. Travis Jacobson 400 North Fourth Street Bismarck, ND 58501 <u>Allison.Waldon@mduresources.com</u> <u>Travis.Jacobson@mdu.com</u></p> <p>William J. Behrmann, Evenson Sanderson, P.C. 103 South 3rd Street, Suite 5 Bismarck, ND 58501 <u>WBehrmann@esattorneys.com</u></p>	<p>Federal Executive Agencies (FEA) Leslie R. Newton Ashley N. George Thomas A. Jernigan Ebony Payton AFLOA-JAOE-ULFSC 139 Barnes Drive, Suite 1 Tyndall Air Force Base, FL 32403 <u>Leslie.Newton.1@us.af.mil</u> <u>Ashley.George.4@us.af.mil</u> <u>Thomas.Jernigan.3@us.af.mil</u> <u>Ebony.Payton.ctr@us.af.mil</u></p>

/s/ Ebony M. Payton _____
Ebony M. Payton
FEA Paralegal