

Columbia Gas<sup>®</sup>  
of Kentucky

**A NiSource Company**

200 Civic Center Drive  
Columbus, Ohio 43215

September 25, 2013

Mr. Jeff Derouen, Executive Director  
Public Service Commission  
Commonwealth of Kentucky  
211 Sower Boulevard  
P. O. Box 615  
Frankfort, KY 40602

RECEIVED  
SEP 26 2013  
PUBLIC SERVICE  
COMMISSION

RE: In the matter of adjustment of rates of Columbia Gas of Kentucky, Inc.,  
KY PSC Case No. 2013-00167

Dear Mr. Derouen,

Enclosed for docketing with the Commission are an original and ten (10) copies of Columbia Gas of Kentucky, Inc.'s Data Requests to the Community Action Counsel. Should you have any questions about this filing, please contact me at 614-460-5558.

Very truly yours,

*Brooke E. Leslie (gmc)*

Brooke E. Leslie  
Senior Counsel

Enclosures

**COMMONWEALTH OF KENTUCKY**  
**BEFORE THE PUBLIC SERVICE COMMISSION**

In the Matter of: )  
Application of Columbia Gas of Kentucky, ) Case No. 2013-00167  
Inc., for an Adjustment in Rates. )

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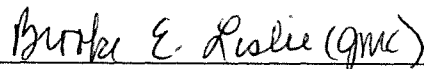
**COLUMBIA GAS OF KENTUCKY, INC.'S  
DATA REQUESTS SERVED UPON  
THE COMMUNITY ACTION COUNCIL**

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Pursuant to the Commission's Order in this proceeding, dated July 16, 2013, Columbia Gas of Kentucky, Inc. ("Columbia"), propounds the following data requests to be answered by the Community Action Council in writing. These data requests shall be deemed to be continuing so as to require supplementary answers between the time the answers are served and the time of hearing.

Respectfully Submitted,



Brooke E. Leslie (Counsel of Record)  
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Attorneys for  
**COLUMBIA GAS OF KENTUCKY, INC.**

INSTRUCTIONS FOR ANSWERING

(1) All responses shall be in writing, and each response shall identify the name and position of the person(s) who provided the response. Each data request shall be answered separately and fully. Each response shall first restate the data request being answered.

(2) All responses to data requests shall be served upon Columbia at the offices and its attorneys in this proceeding:

(3) You are reminded that all answers must be made separately and fully, and that an incomplete or evasive answer is a failure to answer.

(4) You are under a continuing duty to seasonably supplement your response with respect to any question directly addressed to the identity and location of person having knowledge of discoverable matters, the identity of any person expected to be called as an expert witness at hearing, and the subject

matter of which he or she is expected to testify, and to correct any response which you know or later learn is incomplete or incorrect.

(5) All information is to be divulged which is in your possession or control or within the possession and control of your attorneys, investigators, agents, employees, or other representatives of you or your attorney.

(6) Where a data request calls for an answer in more than one part, each part should be separated in the answer so that the answer is clearly understandable.

(7) Where an objection is interposed to any data request, or part thereof, answer all parts of the data request to the extent not objected to.

(8) Identification. As used herein, the terms "identification," "identify," or "identity," when used in reference to (a) a natural individual, requires you to state his or her full name and residential and business address; (b) a corporation, requires you to state its full corporate name and any names under which it does business, its state of incorporation, the address of its principal place of business, and the address of all of its offices in Kentucky; (c) a business, requires you to state the full name or style under which the business is conducted, its business address or addresses, the types of businesses in which it is engaged, the geographic areas in which it conducts those businesses, and the identity of the person or persons who own, operate, and control the business; (d)

a document, requires you to state the number of pages and the nature of the document (*e.g.*, letter or memorandum), its title, its date, the name or names of its authors and recipients, and its present location and custodian; (e) a communication, requires you, if any part of the communication was written, to identify the document or documents which refer to or evidence the communication, and, to the extent that the communication was non-written, to identify the person participating in the communication and to state the date, manner, place and substance of the communication.

(9) Identification of documents. With respect to each data request, in addition to supplying the information requested, you are to identify all documents that support, refer to, or evidence the subject matter of each data request and your answer thereto.

If any or all documents identified herein are no longer in your possession, custody, or control because of destruction, loss, or any other reason, then do the following with respect to each and every such document: (a) describe the nature of the document (*e.g.*, letter or memorandum); (b) state the date of the document; (c) identify the persons who sent and received the original copy of the document; (d) state in as much detail as possible the contents of the document; and (e) state the manner and date of disposition of the document.

If you contend that you are entitled to withhold from production any or all documents identified herein on the basis of attorney-client privilege, the work product doctrine, or other grounds, then do the following with respect to each and every document: (a) describe the nature of the document (*e.g.*, letter or memorandum); (b) state the date of the document; (c) identify the persons who sent and received the original and a copy of the document; (d) state the subject matter of the document; and (e) state the basis upon which you contend you are entitled to withhold the document from production.

(10) Representative. As used herein, the term "representative" means any and all agents, employees, servants, officers, directors, attorneys, or other persons acting or purporting to act on behalf of the person in question.

(11) Person. As used herein, the term "person" means any natural individual in any capacity whatsoever or any entity or organization, including divisions, departments, and other units therein, and shall include, but not be limited to, a public or private corporation, partnership, joint venture, voluntary or unincorporated association, organization, proprietorship, trust, estate, governmental agency, commission, bureau, or department.

(12) Document. As used herein, the term "document" means any medium upon which intelligence or information can be recorded or retrieved, and includes, without limitation, the original and each copy, regardless of origin

and location, of any book, pamphlet, periodical, letter, memorandum (including any memorandum or report of a meeting or conversation), invoice, bill, order form, receipt, financial statement, accounting entry, diary, calendar, telex, telegram cable, report, record, contract, agreement, study, handwritten note, draft, working paper, chart, paper, print, laboratory record, drawing, sketch, graph, index, list, tape, photograph, microfilm, data sheet or data processing card, electronic mail, computer discs or tapes, or computer produced interpretations thereof, or any other written, recorded, transcribed, punched, taped, filmed, or graphic matter, however produced or reproduced, which is in your possession, custody, or control or which was, but is no longer, in your possession, custody or control.

(13) Communication. As used herein, the term "communication" means any oral or written utterance, notation, or statement of any nature whatsoever, by and to whomsoever made, including, but not limited to, correspondence, conversations, dialogues, discussion, interviews, consultations, agreement, and other understandings between or among two or more persons.

(14) Contention Data Request. When a data request requires you to "state the basis of" a particular claim, contention, or allegation, state in your answer the identity of each and every communication and each and every legal

theory that you think supports, refers to, or evidences such claim, contention, or allegation.

(15) The Word "Or." As used herein, the word "or" appearing in a data request should not be read so as to eliminate any part of the data request, but, whenever applicable, it should have the same meaning as the word "and." For example, a data request stating "support or refer" should be read as "support and refer" if an answer that does both can be made.

#### DATA REQUESTS

1. For each county listed on pages 5 and 6 of Mr. Lanter's Direct Testimony,
  - a. Please provide a list of each assumption that was used by Mr. Lanter to estimate the number of "Customers in Poverty" in each county.
  - b. Please define all adjustments made by Mr. Lanter in his analysis to either the "Poverty Rate" or "Customers in Poverty" amount in each county.
2. Referring to page 5, lines 14-15, of Mr. Lanter's Direct Testimony, please provide a full copy of the data contained in the 2011 American Community Survey used to support the table presented at pages 5-6 of



his Direct Testimony, and provide the website reference for reviewing county level data.

3. Please confirm that all households reflected in the American Community Survey that have income below the poverty level:
  - a. Do not pay natural gas bills directly.
  - b. Do not use natural gas for heating.
  - c. Cannot be considered poor based on household circumstances such as having status as a college student or a retiree who owns his own home.
  - d. Would not be considered under the poverty level when government transfers (e.g., Supplemental Nutrition Assistance Program or SNAP, Earned Income Credits, Medicaid, and other benefits) were added to the household income.
4. For each of the 13,012 energy assistance applications referenced at page 6, line 16, of Mr. Lanter's Direct Testimony,
  - a. Please provide the number of applications for natural gas service to be provided by Columbia, and the total dollar amount that was paid to Columbia for such utility service.

- b. Please confirm that payments to Columbia were for both base rate charges and purchased gas charges.
5. Please confirm that the 21,124 households referenced on page 7, line 2 of Mr. Lanter's Direct Testimony are eligible for, and receive, benefits related to housing, food, and other needs.
6. Please confirm that Columbia has offered energy assistance for up to 2,000 customers annually and that to date the program has not enrolled 2,000 natural gas customers.
7. Referring to page 6, lines 17-19, of Mr. Lanter's Direct Testimony, please explain how the amount of \$296,849 paid to Columbia helped "Columbia customers with low-incomes keep electricity coming into their homes." (Emphasis added).
8. What is the basis for Mr. Lanter's conclusion at page 8 lines 7-11, of his Direct Testimony that Columbia's proposed RNA Rider "waters down the role of the Kentucky Public Service Commission"?
9. Please provide all court decisions, regulatory orders, and theory-based treatises that support Mr. Lanter's conclusion at page 8, line 12, of his Direct Testimony that affordability is a factor in a regulatory body determining just and reasonable rates for a utility.

10. Is it Mr. Lanter's belief that the sole purpose of rate regulation is to provide a utility such as Columbia with sufficient revenues to maintain its solvency? Please cite any statutory or legal principle that supports his belief.
11. Please provide the actual income levels used to determine poverty levels to support your assertion that 17.8% of CKYs customers are below the poverty level.
12. Please provide the table number or actual table from the American Community Survey, used to determine the poverty level by county.

## CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing *Columbia Gas of Kentucky, Inc.'s Data Requests to the Community Action Council* by ordinary U.S. Mail, postage prepaid, to the parties on this 25<sup>th</sup> day of September, 2013.

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