

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

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PUBLIC SERVICE  
COMMISSION

In the Matter of:

APPLICATION OF WKG STORAGE, INC. )  
FOR RATE ADJUSTMENT FOR SMALL ) Case No. 2016-00053  
UTILITIES PURSUANT TO 807 KAR 5:076 )

WKG'S RESPONSE TO THE  
ATTORNEY GENERAL'S MOTION TO DEVIATE FROM THE PROCEDURAL SCHEDULE

Comes now WKG Storage, Inc. ("WKG"), by counsel and responds to the Attorney General of the Commonwealth of Kentucky's Motion to Deviate from the Procedural Schedule ("Motion") filed in the above-captioned docket on March 25, 2016, as follows:

The Attorney General seeks deviation from the procedural order entered by the Commission on March 11, 2016. As grounds, the Attorney General states he needs additional time "...to determine if this entity [WKG] is a utility under the Commission's jurisdiction...".

The Attorney General cites no authority, and provides no reasoning, for his concern that WKG may not be a utility whose rates and terms of service are subject to the jurisdiction of this Commission. WKG's currently effective tariff was accepted by this Commission effective October 15, 2001. WKG has operated under that tariff since its effective date. WKG accordingly believed, and still believes, its rates and terms of service are subject to the jurisdiction of this Commission under KRS Chapter 278.

Notwithstanding, WKG has a good faith intent to be cooperative with the Attorney General. In that regard, it should be noted that although the Attorney General's Motion to

Intervene was not filed within the time allowed by the Commission's procedural order, WKG elected not to object to the late filing. In that same spirit, WKG will not oppose extending the procedural deadlines by a reasonable amount of time to accommodate the Attorney General. Although the Attorney General does not specify which deadlines he wants extended, nor by how long, WKG would propose the following modified schedule:

**Limited supplemental requests for information related to jurisdiction issue, no later than April 8, 2016.**

**WKG responses to initial requests for information from Staff and Attorney General, as well as its responses to the limited supplemental requests related to jurisdiction issue by no later than April 22, 2016.**

**Supplemental request for information to WKG shall be filed no later than May 5, 2016.**

**WKG shall file responses to supplemental requests for information no later than May 20, 2016.**

**Any request for a formal hearing shall be filed no later than June 1, 2016.**

Respectfully submitted.



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CERTIFICATE OF SERVICE AND FILING

Counsel certifies that an original and ten copies of the foregoing were served and filed with the Executive Director, Public Service Commission, 211 Sower Boulevard, Frankfort, Kentucky 40601 and upon Kent Chandler, Office of Attorney General, 1024 Capital Center Drive, Suite 200, Frankfort, Kentucky 40601, by First Class U.S. Mail, and upon John N. Hughes as attorney for Atmos Energy Corporation, 124 West Todd Street, Frankfort, KY 40601, on this the 30<sup>th</sup> day of March, 2016



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T. Tommy Littlepage