

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ADJUSTMENT OF RATES OF COLUMBIA GAS ) CASE NO.  
OF KENTUCKY, INC. ) 2007-00008

O R D E R

On April 10, 2007, Constellation New Energy-Gas Division, LLC (“CNEG”) filed a motion for full intervention in this proceeding.

In order to be granted intervenor status, the movant must satisfy the criteria set forth in 807 KAR 5:001, Section 3(8)(b), which states:

If a person granted leave to intervene desires to be served with filed testimony, exhibits, pleadings, correspondence and all other documents submitted by parties, and to be certified as a party for the purposes of receiving service of any petition for rehearing or petition for judicial review, he shall submit in writing to the secretary a request for full intervention, which shall specify his interest in the proceeding. If the commission determines that a person has a special interest in the proceeding which is not otherwise adequately represented or that full intervention by party is likely to present issues or to develop facts that assist the commission in fully considering the matter without unduly complicating or disrupting the proceedings, such person shall be granted full intervention.

Pursuant to the regulation, there are two levels of intervention, limited intervention and full intervention. A person seeking full intervention must demonstrate that he has a special interest which is not otherwise adequately represented in the proceeding or that he is likely to present issues that will assist the Commission in developing the record without unduly complicating the proceedings.

The Attorney General of Kentucky (“AG”) was granted full intervention, on January 26, 2007, to represent the interests of Columbia Gas of Kentucky, Inc.’s (“Columbia”) ratepayers pursuant to KRS 367.150(8). The Commission, on March 13, 2007, also granted full intervention to Kentucky Industrial Utility Customers, Inc. (“KIUC”) on behalf of Columbia’s largest consumers of natural gas. Full intervention was also granted to Interstate Gas Supply, Inc. (“IGS”) on April 2, 1007. IGS is a marketer participant in the Columbia Customer Choice Program (“Choice Program”),<sup>1</sup> which contracts with customers of Columbia to supply them with gas for a set period at an agreed-upon price.

CNEG, by contrast, is a third-party natural gas transporter that serves a number of commercial and industrial customers located in the Columbia service area. It does not participate in the Choice Program. CNEG is not a customer of Columbia.

The Commission has examined the special interest claim of CNEG in this matter and, based upon the pleadings, does not find that CNEG has demonstrated an interest that is not otherwise adequately represented or that it will assist the Commission in developing the record without unduly complicating the proceedings. Accordingly, the Commission finds that CNEG has not demonstrated that it should be permitted to fully intervene.

---

<sup>1</sup> Case No. 1999-00165, The Tariff Filing of Columbia Gas of Kentucky, Inc. to Implement a Small Volume Gas Transportation Service, to Continue its Gas Cost Incentive Mechanisms, and to Continue its Customer Assistance Program.

The Commission, being sufficiently advised, HEREBY ORDERS that the motion of CNEG for intervention is denied.

Done at Frankfort, Kentucky, this 3<sup>rd</sup> day of May, 2007.

By the Commission

ATTEST:



Executive Director

Case No. 2007-00008