

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF COLUMBIA)	
GAS OF KENTUCKY, INC. FOR ITS ANNUAL)	CASE NO.
SAFETY MODIFICATION AND REPLACEMENT)	2023-00335
PROGRAM FILING)	

ORDER

On October 13, 2023, Columbia Gas of Kentucky, Inc. (Columbia Kentucky) filed its annual application and tariff to revise its Safety Modification and Replacement Program (SMRP) rates, based on a forecasted test period ending December 31, 2024. Columbia Kentucky proposed an effective date of January 2, 2024.

KRS 278.030 provides that a utility may collect fair, just and reasonable rates and that the service it provides must be adequate, efficient and reasonable. Having reviewed the proposed tariff and being otherwise sufficiently advised, the Commission finds that an investigation is necessary to determine the reasonableness of the proposed tariff and that such investigation cannot be completed by January 2, 2024. Therefore, pursuant to KRS 278.190(2), the Commission will suspend the effective date of the proposed SMRP rates for one day until January 3, 2024, to give the Commission time to investigate the SMRP rates, and to allow Columbia Kentucky to begin charging the SMRP rates, pending a final Order and subject to refund, provided it provides written notice to the Commission of its intention to do so as required by KRS 278.190(2).

The Commission directs Columbia Kentucky to the Commission's July 22, 2021 Order in Case No. 2020-00085¹ in which the Commission mandated the use of electronic filing procedures listed in 807 KAR 5:001, Section 8. The Commission finds that electronic filing procedures should be used, consistent with the filing procedures set forth in Case No. 2020-00085.

The Commission further finds that a procedural schedule should be established to review the reasonableness of the proposed tariff. The procedural schedule is attached as an Appendix to this Order. To ensure a timely review of this matter, the Commission also finds that the procedural schedule should include only a date for intervention, dates for request for information to Columbia Kentucky, and a date for parties to request a hearing; and additional dates will be added if a request for intervention is granted.

IT IS THEREFORE ORDERED that:

1. Columbia Kentucky's proposed SMRP rates are suspended for one day, to January 3, 2024.
2. Columbia Kentucky's proposed SMRP rates may be placed in effect by Columbia Kentucky on or after January 3, 2024, pending the final Order in this matter and subject to refund, provided Columbia Kentucky provides written notice to the Commission of its intention to do so as required by KRS 278.190(2).
3. The procedural schedule set forth in the Appendix to this Order shall be followed.

¹ Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC July 22, 2021), Order (in which the Commission ordered that for case filings made on and after March 16, 2020, filers are NOT required to file the original physical copies of the filings required by 807 KAR 5:001, Section 8).

4. Columbia Kentucky shall respond to all requests for information propounded by Commission Staff, whether identified on the procedural schedule or otherwise, as provided in those requests.

5. As set forth in 807 KAR 5:001, Section 4(11)(a), a person requesting permissive intervention in a Commission proceeding is required to demonstrate either (1) a special interest in the proceeding, which is not adequately represented in the case, or (2) that the person requesting permissive intervention is likely to present issues or develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings. Therefore, any person requesting to intervene in a Commission proceeding must state with specificity the person's special interest that is not otherwise adequately represented, or the issues and facts the person will present that will assist the Commission in fully considering the matter. A mere recitation of the quantity of utility service consumed by the movant or a general statement regarding the potential impact of possible modification of rates will not be deemed sufficient to establish a special interest.

6. Any motion to intervene after the date established in the procedural schedule shall also show good cause for being untimely. If the untimely motion is granted, the movant shall accept and abide by the existing procedural schedule.

7. Columbia Kentucky shall give notice of the hearing in accordance with the provisions set forth in 807 KAR 5:001, Section 9(2). In addition, the notice of the hearing shall include the following statements: "This hearing will be streamed live and may be viewed on the PSC website, psc.ky.gov" and "Public comments may be made at the beginning of the hearing. Those wishing to make oral public comments may do so by

following the instructions listed on the PSC website, psc.ky.gov.” At the time publication is requested, Columbia Kentucky shall forward a duplicate of the notice and request to the Commission.

8. At any public hearing in this matter, neither opening statements nor summarization of direct testimonies shall be permitted.

9. Any hearing scheduled in this matter shall be held on the designated day or days and continued until called from the bench by the presiding officer. Pursuant to 807 KAR 5:001, Section 2, if the hearing is not concluded on the designated day, the hearing shall be continued upon verbal announcement by the presiding officer. A verbal announcement made by the presiding officer shall be proper notice of the continued hearing.

10. Witnesses who sponsor schedules, testimony, or responses to requests for information shall participate in person at any hearing scheduled in this matter.

11. Pursuant to KRS 278.360 and 807 KAR 5:001, Section 9(9), a digital video recording shall be made of the hearing.

12. The Commission does not look favorably upon motions for continuance. Accordingly, motions for extensions of times with respect to the schedule herein shall be made in writing and will be granted only upon a showing of good cause.

13. The Commission does not look favorably upon motions to excuse witnesses from testifying at Commission hearings. Accordingly, motions to excuse a witness from testifying at a Commission hearing or from testifying in person at a Commission hearing shall be made in writing and will be granted only upon a showing of good cause.

14. Nothing contained herein shall prevent the Commission from entering further Orders in this matter.

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PUBLIC SERVICE COMMISSION



Chairman



Vice Chairman



Commissioner

ENTERED
DEC 05 2023
KENTUCKY PUBLIC SERVICE COMMISSION
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ATTEST:



Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2023-00335 DATED DEC 05 2023

Requests for intervention shall be filed no later than 12/15/2023

Initial requests for information to Columbia Kentucky
shall be filed no later than 12/22/2023

Columbia Kentucky shall file responses to
initial requests for information no later than..... 01/10/2024

Columbia Kentucky or any Intervenor shall request either a
hearing or that the case be submitted for decision
based on the record no later than 01/17/2024

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