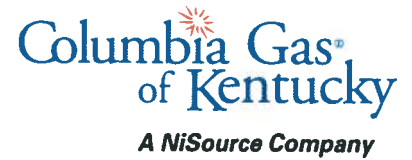


July 9, 2013



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

RECEIVED

JUL 09 2013

PUBLIC SERVICE
COMMISSION

RE: PSC Case No. 2013-00167

Dear Mr. Derouen,

Enclosed for docketing with the Commission are an original and ten (10) copies of *Objection and Response of Columbia Gas of Kentucky, Inc. to Interstate Gas Supply's Motion to Intervene*. Should you have any questions about this filing, please contact me at 614-460-5558. Thank you.

Sincerely,

A handwritten signature in blue ink that reads "Brooke E. Leslie".

Brooke E. Leslie

Senior Counsel

Enclosures

Cc: Hon. Richard S. Taylor

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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JUL 09 2013

**PUBLIC SERVICE
COMMISSION**

In the matter of adjustment of rates of)
Columbia Gas of Kentucky, Inc.) Case No. 2013-00167

**OBJECTION AND RESPONSE OF COLUMBIA GAS
OF KENTUCKY, INC. TO INTERSTATE GAS SUPPLY INC.'S
MOTION TO INTERVENE**

Columbia Gas of Kentucky, Inc. ("Columbia") hereby submits its objection and response to Interstate Gas Supply, Inc.'s ("IGS") Motion to Intervene in this proceeding. On June 12, 2013, IGS requested full intervenor status so that it "can evaluate all submissions made by Columbia (and others) to represent the interests of IGS and its current and potential customers."¹ Columbia respectfully requests that the Commission deny the motion of IGS to the extent it seeks to represent the interests of its customers because IGS cannot demonstrate that its customers are distinguishable from Columbia's customers, who are already represented by the Attorney General pursuant to KRS § 367.150(8). IGS does not satisfy the requirements of 807 KAR 5:001, Section 4(11)(b) and its Motion to Intervene should be limited to representing the interests of IGS only and not individual customers.

¹ Interstate Gas Supply, Inc.'s Motion to Intervene at 1 of 2.

807 KAR 5:001 Section 3(8) governs intervention in Commission proceedings. It provides in part: "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." KRS § 367.150(8) grants the Attorney General the right and obligation to appear before regulatory bodies of the Commonwealth of Kentucky to represent consumers' interests. On June 21, 2013, the Attorney General moved to intervene in this proceeding and was granted intervention on July 5, 2013.

On June 12, 2013, IGS filed for full intervention to represent its own interests and those of its customers. In its motion, IGS failed to provide any Commission or statutory authority supporting its representation of any interest belonging to its customers, and any facts sufficient to show that its interest and its customers' interests are not currently being adequately represented by the Attorney General.² IGS' Motion is silent as to the adequacy of the Attorney General to represent its interest and its customers' interests and any authority for it to assert its customers' interests. Commission precedent supports the Commission's denial of IGS' motion to intervene on behalf of its customers. In

Id.

the 2001 Union Light, Heat and Power Company ("ULH&P") rate case, Stand Energy Corporation, a marketer similar to IGS, petitioned to intervene to represent the interests of its customers.³ The Commission denied Stand Energy Corporation's petition because "the interest claimed by [Stand Energy Corporation] is actually that of ULH&P's [Interruptible Transportation ("IT")] customer and that it cannot be asserted by [Stand Energy Corporation]."⁴ The Commission further found that "the interest of all customers of ULH&P, including its IT customers, is adequately represented by the Attorney General of the Commonwealth of Kentucky."⁵ Similar to Stand Energy Corporation, IGS is trying to assert an interest of its customers, which is already being represented by the Attorney General, and IGS therefore lacks standing to intervene on behalf of its customers.

WHEREFORE, Columbia hereby respectfully requests that the Commission deny IGS's Motion to Intervene on behalf of its customers and prescribe specific limitations as to the issues IGS may pursue.

Respectfully Submitted,



Brooke E. Leslie, Senior Counsel

³ *In the Matter of Adjustment of Gas Rates of the Union Light, Heat and Power Company*, PSC Case No. 2001-092, Order (September 13, 2001) at 1.

⁴ *Id.* at 2.

⁵ *Id.*

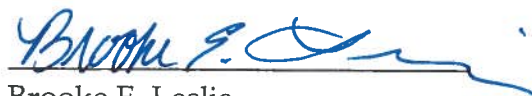
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Attorneys for
COLUMBIA GAS OF KENTUCKY, INC.

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing *Objection and Response of Columbia Gas of Kentucky, Inc. To Interstate Gas Supply Inc.'s Motion to Intervene*, by ordinary U.S. mail, postage prepaid, to the parties on this 9th day of July 2013.



Brooke E. Leslie

**Attorney for
COLUMBIA GAS OF KENTUCKY, INC.**

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