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April 22, 2016

RECEIVED

APR 22 2016

**PUBLIC SERVICE
COMMISSION**

Aaron Greenwell
Acting Executive Director
211 Sower Blvd.
PO Box 615
Frankfort, Kentucky 40602

RE: WKG Storage, Inc.
Case No. 2016-00053

Dear Mr. Greenwell:

WKG Storage, Inc. submits for filing its responses to the Attorney General's Second Data Request. A copy of the responses has been served on the Attorney General.

If you have any questions concerning this, please let me know. Thank you.

Very truly yours,



T. Tommy Littlepage


Attachments

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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

AFFIDAVIT

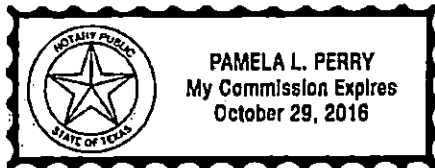
The Affiant, Joe T. Christian, being duly sworn, deposes and states that the attached responses to the Office of the Attorney General's second request for information are true and correct to the best of his knowledge and belief.

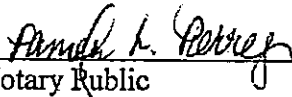


Joe. T. Christian

STATE OF TEXAS
COUNTY OF DALLAS

SUBSCRIBED AND SWORN to before me by Joe T. Christian on this the 22nd day of April, 2016.





Notary Public
My Commission Expires: 10-29-16

**Case No. 2016-00053
WKG Storage, Inc.
AG RFI Set No. 2
Question No. 2-01
Page 1 of 1**

REQUEST:

Explain in complete detail whether WKG Storage has or has not been regulated by the Commission since 2001. Provide all pertinent documentation, citations to case law, statutes, and regulations that support the answer.

RESPONSE:

WKG Storage, Inc. has been regulated by the Commission since 2001. Please see Attachment 1 for a copy of the order approving the transfer and Attachment 2 for the tariff that has been on file since 2001. WKG Storage, Inc. objects to the balance of this request on the grounds it calls for legal opinion and requests legal research.

ATTACHMENTS:

ATTACHMENT 1 - WKG Storage, Inc., AG_2-01_Att1 - WKG Storage Inc Order.pdf, 4 Pages.

ATTACHMENT 2 - WKG Storage, Inc., AG_2-01_Att2 - WKG Storage Inc Tariff.pdf, 5 Pages.

Respondent: Joe Christian

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF WKG STORAGE,)
INC. FOR APPROVAL OF A CHANGE)
IN CONTROL THROUGH ACQUISITION) CASE NO. 2001-235
OF ASSETS OF KENTUCKY PIPELINE)
AND STORAGE COMPANY, INC. AND)
FOR APPROVAL OF TARIFF)

O R D E R

WKG Storage, Inc. ("WKG Storage") has applied for Commission approval of the transfer of Kentucky Pipeline and Storage Company, Inc. ("KYPSCO") facilities to WKG Storage. Having considered the evidence of record and being otherwise sufficiently advised, the Commission finds that:

1. WKG Storage is a Delaware corporation authorized to do business in the Commonwealth of Kentucky, and is a wholly owned subsidiary of Atmos Pipeline and Storage, LLC ("Atmos Pipeline"). Atmos Pipeline owns and operates natural gas storage and pipelines in various other states.

2. In Case No. 91-074,¹ the Commission approved the application of KYPSCO to be recognized as an intrastate pipeline as defined in KRS 278.504(1) and granted a Certificate of Public Convenience and Necessity to proceed with the proposed construction of the East Diamond Field, the intrastate pipeline, and related facilities.

¹ Case No. 91-074, The Application of Kentucky Pipeline and Storage Company, Inc. For Recognition as an Intrastate Pipeline, For Authority to Construct a Natural Gas Pipeline, and For Recognition as a Transporting Utility.

3. The East Diamond Field is a depleted natural gas reservoir that was discovered in 1970 and was abandoned in 1982 after producing over 3.2 Bcf of natural gas from the Bethel Sandstone Formation. The storage field is located on the southern shelf of the Illinois Basin in what is known as the Pennyrile Fault Zone. The reservoir is dome-shaped and is located at an average depth of approximately 2,150 feet. The field facilities consist of 17 injection/withdrawal wells, including a horizontal well with a horizontal reservoir penetration of over 1,300 feet. Four compressors provide the field's compression requirements. Pipeline facilities include an in-field gathering system consisting of 6-inch and 4-inch steel pipelines, as well as the 18.5-mile-long, 8-inch transmission line that interconnects with ANR Pipeline.

4. On July 2, 2001, WKG Storage entered into a Purchase and Sale Agreement with KYPSCO to purchase the assets and the business operated by KYPSCO in Hopkins County, Kentucky.

5. The principal assets being acquired by WKG Storage include the East Diamond Field in Hopkins County, Kentucky and an 8-inch, 18.5-mile-long pipeline connecting the storage field with ANR Pipeline. Additional property includes all wells, wellhead equipment facilities, together with all downhole equipment, wellhead assemblies, valves, measurement equipment, piping, and all other equipment and surface facilities presently connected to or used in the operation and maintenance of the injection/withdrawal wells. Also included are compressors, dehydration equipment, separation equipment, and various natural gas field gathering and measurement facilities. Included in the conveyance are field operating and maintenance agreements, gas storage agreements with customers, mineral conveyance and underground gas

lease storage agreements, as well as pipeline right-of-way agreements. The property conveyed also includes all real property, supplies, materials, spares, and books, records, and files relating to the business and all inventories of natural gas, including line pack and cushion gas.

6. KRS 278.020(4) provides that “[n]o person shall acquire or transfer ownership of, or control, or the right to control, any utility under the jurisdiction of the commission by sale of assets . . . without prior approval of the commission.” [Emphasis added]. That statute also requires the Commission to approve the transfer if the person acquiring has the financial, technical, and managerial ability to provide reasonable service.

7. WKG Storage has the financial, technical, and managerial abilities to provide reasonable service, and the proposed transaction is consistent with the public interest and will be made in accordance with law and for a proper purpose. Consequently, the proposed transfer should be approved.

IT IS THEREFORE ORDERED that:

1. The transfer of the East Diamond Field and related facilities from KYPSCO to WKG Storage is approved.

2. Applicant shall notify the Commission of the transfer within 10 days of its consummation or, in the alternative, shall notify the Commission if the proposed transaction does not occur.

3. Within 10 days of the date of this Order, WKG Storage shall file an Adoption Notice pursuant to Administrative Regulation 807 KAR 5:011, Section 11.

Done at Frankfort, Kentucky, this 24th day of September, 2001.

By the Commission

ATTEST:


Executive Director

Form for filing Rate Schedules

For Entire Service Area
 Community, Town or City

P.S.C. No. 1

Original Sheet No. 1

Canceling P.S.C. No. N/A

Sheet No. _____

WKG Storage, Inc.
 Name of Issuing Corporation

CLASSIFICATION OF SERVICE

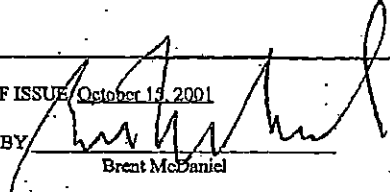
Storage Transportation Service Rate TS-1	RATE PER UNIT
<p>1. Applicable:</p> <p>Entire service area, i.e. Natural Gas Storage Facility located in Sections 9, 10, 11, 12-J-25 (Carter Coordinates), Hopkins County, Kentucky. Pipeline connector extending from storage field westward approximately 15 miles to intersection with ANR Transmission Line one-half mile south of Rabbit Ridge, Kentucky (Hopkins County).</p> <p>2. Availability of Service:</p> <p>Available to customers who have contracted for storage space in East Diamond Storage Reservoir.</p> <p>3. Rate - Net:</p> <p>Transportation - Injection - 15 cents per 1000 cubic feet Withdrawal - 15 cents per 1000 cubic feet</p> <p>4. Terms and Conditions:</p> <p>A. Specific details relating to volumes, delivery and other matters shall be covered by separate contract with the individual customers.</p> <p>B. The Company shall have the right at any time, without liability to the customer, to curtail or to discontinue storage and delivery of gas entirely for any period of time when such curtailment or discontinuance is in the Company's sole discretion necessary to protect and assure operation of the Company's underground storage reservoir; to comply with any restriction or curtailment as may be imposed by any governmental agency having jurisdiction over the Company; or for any causes due to force majeure; so that the Company may maintain the operating efficiency of its system in a safe and orderly manner.</p>	

PUBLIC SERVICE COMMISSION
 OF KENTUCKY
 EFFECTIVE

DATE OF ISSUE October 15, 2001

DATE EFFECTIVE October 15, 2001

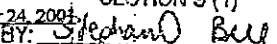
OCT 15 2001

ISSUED BY 
 Brent McDaniel

TITLE Vice President

PURSUANT TO 807 KAR 5:011,
 SECTION 9 (1)

Issued by authority of an Order of the Public Service Commission of Kentucky in Case No. 2001-235 dated September 24, 2001

BY: 
 SECRETARY OF THE COMMISSION

Form for filing Rate Schedules

For Entire Service Area
Community, Town or City

P.S.C. No. 1

Original Sheet No. 2

WKG Storage, Inc.
 Name of Issuing Corporation

Canceling P.S.C. No. N/A

Sheet No. _____

CLASSIFICATION OF SERVICE

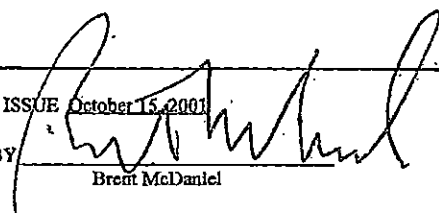
Storage Transportation Service Rate TS-1

RATE PER
 UNIT

- C. The Company will require a written storage and transportation contract with its customer(s) with terms to be negotiated.
- D. It shall be the customer's responsibility to make all necessary arrangements, including regulatory approvals, required to deliver gas transported under the tariff to the facilities of the Company.
- E. The Company reserves the right to refuse to accept gas that does not meet the Company's quality specification as specified in ANR pipeline quality standards.
- F. The Rules, regulations and Order of the Public Service Commission and of the County, and the Company's general terms and conditions applicable to industrial sales, shall apply to this Tariff and all contracts thereunder.
- G. There will be no minimum charge and there will be no discount for early payment.
- H. The Company may provide special storage and transportation services in accordance with individual contracts with the customer. A copy of such contract will be filed with the Commission pursuant to 807 KAR 5:011 Section 13.
- I. Balancing shall be accomplished by a credit on amounts billed or by additional billings to be rendered and paid in accordance with the following terms:
 - i. If it shall be determined that, at any time within twelve (12) months after the date of any statement rendered by WKG Storage, Inc. that there has been an overcharge (imbalance) in the amount billed for gas injected, withdrawn or stored, and a claim, therefore, is made within sixty (60) days from the day of discovery thereof, the overcharge (imbalance), if verified, shall be refunded within thirty (30) days, together with interest at 8% per annum computed for the period beginning sixty (60) days following the date of the statement to the date of the refund.

DATE OF ISSUE October 15, 2001

DATE EFFECTIVE October 15, 2001

ISSUED BY 
 Brent McDaniel

TITLE Vice President

PUBLIC SERVICE COMMISSION
 OF KENTUCKY
 EFFECTIVE

OCT 15 2001

Issued by authority of an Order of the Public Service Commission of Kentucky in Case No. 2001-235 dated September 26, 2001 pursuant to 807 KAR 5:011, SECTION 9 (1)

BY: Stechard Bell
 SECRETARY OF THE COMMISSION

Form for filing Rate Schedules

For Entire Service Area
 Community, Town or City

P.S.C. No. 1

Original Sheet No. 3

WKG Storage, Inc.
 Name of Issuing Corporation

Canceling P.S.C. No. N/A

Sheet No. _____

CLASSIFICATION OF SERVICE

Storage Transportation Service Rate TS-1

RATE PER
 UNIT

- ii. If it shall be determined that, at any time within twelve (12) months after the date of any statement rendered by WKG Storage, Inc. that there has been an undercharge (imbalance) in the amount billed for injection, storage and/or withdrawal, WKG Storage, Inc. shall submit a statement for such undercharge and customer, upon verification of the same, shall pay such amount within 30 days, such payment shall not include interest unless the undercharge is due to meter tampering and/or fraud, in which event interest shall be due at 12% per annum.

DATE OF ISSUE October 15, 2001

ISSUED BY 
 Brent McDaniel


DATE EFFECTIVE October 15, 2001

TITLE Vice President

PUBLIC SERVICE COMMISSION
 OF KENTUCKY
 EFFECTIVE

Issued by authority of an Order of the Public Service Commission of Kentucky in Case No. 2001-235 dated September 24, 2001.

OCT 15 2001

PURSUANT TO 807 KAR 5.011,
 SECTION 9 (1)
 BY: 
 SECRETARY OF THE COMMISSION

Form for filing Rate Schedules

For Entire Service Area
 Community, Town or City

P.S.C. No. 1

Original Sheet No. 4

WKG Storage, Inc.
 Name of Issuing Corporation

Canceling P.S.C. No. N/A

Sheet No. _____

CLASSIFICATION OF SERVICE

Storage Transportation Service Rate TS-2

RATE PER
UNIT

1. Numerical paragraphs 1, 2, and 4 of the Storage transportation Service Rate TS-1 are applicable to Storage Transportation service rate TS-2.

2. Rate - Alternative Flex Provision:

Notwithstanding any other provision in this tariff, the Company may flex the otherwise applicable rate on a customer specific basis where it is affirmatively shown that a flex discount will produce a transportation rate that is competitive. The flex rate discount will not be granted that produces transportation rates below the variable costs associated with service to the customer. The Company reserves the right to confirm, to its satisfaction, the reasonableness of the represented price and volume. The Company further reserves the right to decline to flex or to flex to the degree requested by the customer.

PUBLIC SERVICE COMMISSION
 OF KENTUCKY
 EFFECTIVE

DATE OF ISSUE October 15, 2001

DATE EFFECTIVE October 15, 2001

ISSUED BY Brent McDaniel

TITLE Vice President

OCT 15 2001

Issued by authority of an Order of the Public Service Commission of Kentucky in Case No. 2001-235 dated September 24, 2001 PURSUANT TO 807 KAR 5.011, SECTION 9 (i)

BY: Stephen B. Bell
 SECRETARY OF THE COMMISSION

Form for filing Rate Schedules

For Entire Service Area
Community, Town or City

P.S.C. No. 1

Original Sheet No. 5

Canceling P.S.C. No. N/A

Sheet No. _____

WKG Storage, Inc.
 Name of Issuing Corporation

CLASSIFICATION OF SERVICE

Storage Service Rate S-1	RATE PER UNIT
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1. Terms:

The Applicability, Availability of Service and Terms and Conditions are identical to paragraphs 1, 2, and 4 as set out on Storage Transportation Service Rate TS-1.

2. Terms and Conditions:

A Storage:

Reservation charge - \$0.05 per MCF times the contract volume of working gas, payable monthly.

B. Cushion Gas:

Cushion gas is exempt from storage or gathering charges.

C. Fuel and Shrinkage:

A Fuel and Shrinkage of 1% shall be applied to all gas withdrawn from storage.

DATE OF ISSUE October 15, 2001

DATE EFFECTIVE October 15, 2001

ISSUED BY

Brent McDaniel

TITLE Vice President

PUBLIC SERVICE COMMISSION
 OF KENTUCKY
 EFFECTIVE

OCT 15 2001

Issued by authority of an Order of the Public Service Commission of Kentucky in Case No. 2001-235 dated September 24, 2001.

PURSUANT TO 807 KAR 5:011,
 SECTION 9 (1)

BY Stephan Bue
 SECRETARY OF THE COMMISSION

Case No. 2016-00053
WKG Storage, Inc.
AG RFI Set No. 2
Question No. 2-02
Page 1 of 1

REQUEST:

Does WKG Storage believe that it currently is regulated, or has previously been regulated by any other body other than the Public Service Commission? If so, who and why? Provide citation to applicable law.

RESPONSE:

No.

Respondent: Joe Christian

Case No. 2016-00053
WKG Storage, Inc.
AG RFI Set No. 2
Question No. 2-03
Page 1 of 1

REQUEST:

Explain in complete detail why WKG Storage should be treated as a regulated utility, when it is a wholly-owned subsidiary of Atmos Energy Holdings, Inc. which is a non-regulated subsidiary of Atmos Energy Corporation.

RESPONSE:

The Company objects because the question asks for a legal opinion. Notwithstanding said objection, the PSC has made a determination of regulated status by issuance of a transfer order and approval of WKG Storage, Inc.'s tariff. Please see the Company's response to AG DR No. 2-01.

Respondent: Joe Christian

Case No. 2016-00053
WKG Storage, Inc.
AG RFI Set No. 2
Question No. 2-04
Page 1 of 1

REQUEST:

Does WKG perform non-regulated functions? If so, provide complete details of those functions and why they are considered non-regulated, including applicable law.

RESPONSE:

The only service that WKG Storage, Inc. offers is Commission regulated firm storage transportation service.

Respondent: Joe Christian

Case No. 2016-00053
WKG Storage, Inc.
AG RFI Set No. 2
Question No. 2-05
Page 1 of 1

REQUEST:

Reference WKG' s response to AG's No. 1-5 to answer the following:

- a. In WKG's response the company stated, "WKG Storage negotiated the purchase of the assets of Kentucky Public Service and Storage Company, Inc. in 2001." Confirm that the company referred to as Kentucky Public Service and Storage Company, Inc. is actually Kentucky Pipeline and Storage Company, Inc. If the two companies are not the same, provide detailed information on Kentucky Public Service and Storage Company and their role, if any, in the transaction.

RESPONSE:

This is correct the company referred to is Kentucky Pipeline and Storage Company, Inc. The Company will correct its response to AG DR No. 1-05.

Respondent: Joe Christian

Case No. 2016-00053
WKG Storage, Inc.
AG RFI Set No. 2
Question No. 2-06
Page 1 of 1

REQUEST:

Reference WKG's response to AG's No. 1-7 to answer the following:

- a. In WKG's response the company stated, "The purchase price was paid via wire transfer from WKG Storage, Inc. to Kentucky Pipeline and Storage Company, Inc." Confirm that WKG Storage actually wired the money to Kentucky Pipeline and Storage Company, Inc., and that it was not either Atmos Pipeline and Storage or Atmos Energy Holdings wiring the funds instead. Provide copies of the proofs of the wire transfer.

RESPONSE:

Objection. This question is not relevant to the jurisdictional status of WKG Storage, Inc. or the rate case.

Respondent: Joe Christian

Case No. 2016-00053
WKG Storage, Inc.
AG RFI Set No. 2
Question No. 2-07
Page 1 of 1

REQUEST:

Reference WKG's response to AG's No. 1-9 to answer the following :

- a. Explain in complete detail what WKG Storage means by "state assessed", and where it finds that definition in applicable statutes and regulations. Provide citation to applicable law.
- b. Explain in complete detail why WKG Storage believes that public utilities that are not "state assessed" are exempted from paying taxes pursuant to KRS Chapter 136. Provide citation to all applicable law.
- c. Explain in complete detail why WKG Storage believes it is not a "state assessed" utility. Provide citation to applicable law.
- d. Explain in complete detail why WKG Storage believes it is exempted from paying taxes pursuant to KRS Chapter 136. Provide citation to all applicable law.
- e. Provide copies of all tax returns made during the last five (5) years with the U.S. Internal Revenue Service, the Kentucky Revenue Cabinet, and all applicable Kentucky-local tax jurisdictions.

RESPONSE:

Objection. This question is not relevant to the jurisdictional status of WKG Storage, Inc. or the rate case.

Respondent: Joe Christian

Case No. 2016-00053
WKG Storage, Inc.
AG RFI Set No. 2
Question No. 2-08
Page 1 of 1

REQUEST:

Reference AG's No. 1-3, No. 1-14, & No. 1-17 to answer the following:

- a. Explain the decision and rationale for discounting rates below the rates set by the Commission, since WKG Storage only has one customer.
- b. If WKG Storage had other customers, state the rate(s) it would charge those other customers.
- c. Explain, with citation to applicable law if necessary, how this discount does not violate KRS 278.160(2) and KRS 278.2201-278.2219.
- d. Explain why WKG Storage would ask for an increase in rates when it currently chooses to charge less than the Commission approved rate.
- e. If WKG Storage has believed that its rates and terms of service are subject to the jurisdiction of the Commission, then why hasn't WKG Storage complied with all the requirements set forth by the Commission?
- f. If WKG Storage thought it was subject to Commission jurisdiction in regards to rates and terms of service then why has WKG Storage not been implementing the effective tariff approved by the Commission on Oct. 15, 2001.

RESPONSE:

- a-d) Objection. These subparts of this question do not relate to the jurisdictional status of WKG Storage, Inc.
- e-f) Objection. The premise of the question assumes facts not in the record and calls for a legal opinion. Without waiving its objections, WKG Storage, Inc. believes that it has complied with all applicable requirements set forth by the Commission and that it has been operating under the effective tariff approved by the Commission on October 15, 2001.

Respondent: Joe Christian

**Case No. 2016-00053
WKG Storage, Inc.
AG RFI Set No. 2
Question No. 2-09
Page 1 of 1**

REQUEST:

Provide a detailed narrative of how there was an "arms-length" negotiation between WKG Storage, Inc. and Atmos Energy Corporation when WKG Storage Inc. is a subsidiary of Atmos Energy Corporation. Provide any and all documentation related to this negotiation, including the identity and street addresses (including city and state) of the individuals in Atmos Energy Corp., Atmos Pipeline and Storage LLC, and Atmos Energy Holdings, who would be responsible for approving this "negotiation."

RESPONSE:

Objection. This question is not relevant to the jurisdictional status of WKG Storage, Inc. or the rate case.

Respondent: Joe Christian

Case No. 2016-00053
WKG Storage, Inc.
AG RFI Set No. 2
Question No. 2-10
Page 1 of 1

REQUEST:

Reference AG's 1-12 to answer the following:

- a. Answer the request as to what rate of return WKG Storage has earned for each year since its purchase of Kentucky Pipeline and Storage Company Inc. Or in other words, what profit has WKG Storage made since purchasing Kentucky Pipeline and Storage Company Inc.. expressed as a proportion of its total investment.

RESPONSE:

Objection. This question does not relate to the jurisdictional status of WKG Storage, Inc.

Respondent: Joe Christian

Case No. 2016-00053
WKG Storage, Inc.
AG RFI Set No. 2
Question No. 2-11
Page 1 of 2

REQUEST:

Reference the release by Kentucky Pipeline and Storage, LLC located at [http://ky.pipeline-awareness.com/user/file/Kentucky/atmos Pipeline and Storage LLC.pdf](http://ky.pipeline-awareness.com/user/file/Kentucky/atmos%20Pipeline%20and%20Storage%20LLC.pdf) to answer the following:

- a. Confirm or deny that WKG Storage is a wholly owned subsidiary of Atmos Pipeline and Storage.
- b. Confirm or deny whether the first sentence in the release stating, "Atmos Pipeline and Storage, LLC, a wholly owned subsidiary of Atmos Energy Holdings, Inc., provides gas storage services to customers through its ownership and operation of non-regulated underground natural gas storage facilities and associated transmission pipeline facilities" is correct. If it is not correct, explain in complete detail why not.
- c. Explain in complete detail how WKG Storage can be considered by its own holding company, Atmos Pipeline and Storage, LLC as non-regulated but in the present case refer to itself as a regulated entity.
- d. Explain in complete detail any issue or mischaracterization provided in the release referenced above.

RESPONSE:

- a) Objection. This question does not relate to the jurisdictional status of WKG Storage, Inc. Without waiving its objection, WKG Storage, Inc. confirms that it is a wholly owned subsidiary of Atmos Pipeline and Storage.
- b) Objection. This question does not relate to the jurisdictional status of WKG Storage, Inc. Notwithstanding said objection, WKG Storage, Inc. confirms that this sentence is true.
- c) Objection. The premise of the question assumes facts not in the record, and calls for a legal opinion.
- d) WKG Storage, Inc. is a regulated entity, as indicated in the Company's response to AG DR No. 2-01. However, WKG Storage, Inc. is owned by an entity that is itself non-regulated (Atmos Pipeline and Storage, LLC). Additionally, Atmos Pipeline and

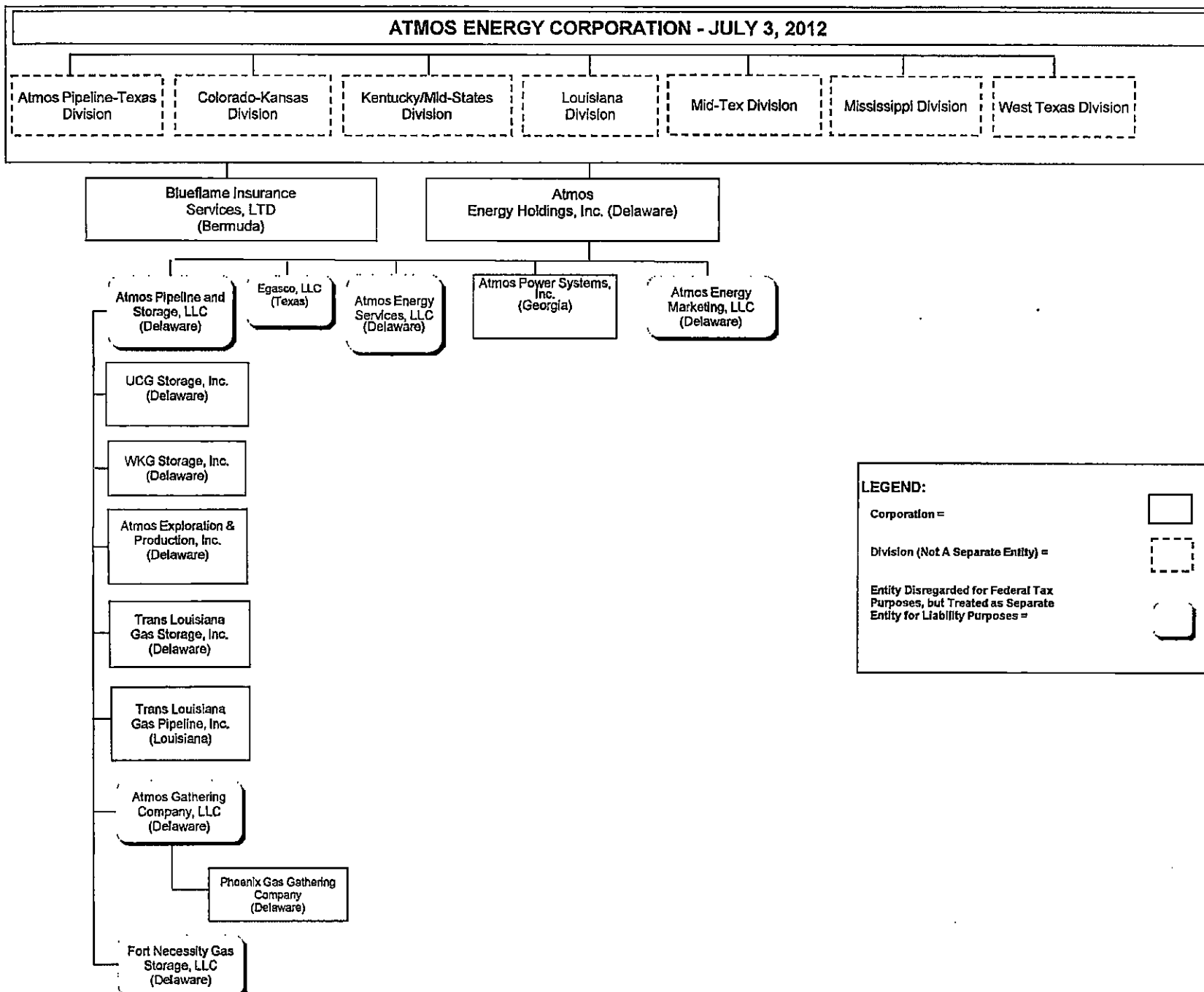
Case No. 2016-00053
WKG Storage, Inc.
AG RFI Set No. 2
Question No. 2-11
Page 2 of 2

Storage, LLC owns numerous other assets, some of which, unlike WKG Storage, Inc. are non-regulated. Please refer to the current corporate organization chart provided in Attachment 1.

ATTACHMENT:

ATTACHMENT 1 - WKG Storage, Inc., AG_2-11_Att1 - Corporate Organization Chart.pdf, 1 Page.

Respondent: Joe Christian



Case No. 2016-00053
WKG Storage, Inc.
AG RFI Set No. 2
Question No. 2-12
Page 1 of 1

REQUEST:

Has WKG Storage ever applied for any waiver(s) to the Public Service Commission? If so, identify in complete detail the purpose of the waiver(s), and whether the waiver(s) was approved, and provide copies of all pleadings and/or correspondence with the Commission regarding the same.

RESPONSE:

Objection. This question is not relevant to the jurisdictional status of WKG Storage, Inc. Without waiving its objection, WKG Storage, Inc. did request waiver of certain requirements of the Commission in connection with its application in this proceeding. WKG Storage, Inc. is not aware of any other waivers that it has requested of the Commission.

Respondent: Joe Christian

Case No. 2016-00053
WKG Storage, Inc.
AG RFI Set No. 2
Question No. 2-13
Page 1 of 1

REQUEST:

Has WKG Storage paid any assessment fee or other fees to the Commission since 2001 pursuant to KRS 278.130 or any other applicable law? Explain the answer in complete detail. If no assessments have been paid, then explain why not. [f assessments have been paid, then provide a detailed itemized list of the same. Provide citation to all applicable law.

RESPONSE:

Objection. This question is not relevant to the jurisdictional status of WKG Storage, Inc.

Respondent: Joe Christian

**Case No. 2016-00053
WKG Storage, Inc.
AG RFI Set No. 2
Question No. 2-14
Page 1 of 1**

REQUEST:

Explain, with citation to applicable law if necessary, why WKG Storage has chosen not to file any reports with any regulatory body other than those identified in WKG's response to AG's No. 1-9.

RESPONSE:

ATTACHMENT:

Objection. This question is not relevant to the jurisdictional status of WKG Storage, Inc. and calls for a legal opinion

Respondent: Joe Christian

**Case No. 2016-00053
WKG Storage, Inc.
AG RFI Set No. 2
Question No. 2-15
Page 1 of 1**

REQUEST:

Has WKG Storage filed with the Commission the rates and schedules it collects from Atmos Energy Corporation, pursuant to KRS 278.160(2)? If not, then explain why not. If the answer is in the affirmative, then provide a detailed list of all documentation filed with the Commission, and copies of same.

RESPONSE:

Objection. This question is not relevant to the jurisdictional status of WKG Storage, Inc. Without waiving its objections, WKG Storage, Inc. answers the question in the affirmative.

Respondent: Joe Christian

Case No. 2016-00053
WKG Storage, Inc.
AG RFI Set No. 2
Question No. 2-16
Page 1 of 1

REQUEST:

Reference AG's No. 1-10 to answer the following:

- a. Explain in complete detail, with citation to applicable law, why WKG Storage has not filed any annual report or other such filings required by law to the Commission since its CPCN to purchase Kentucky Pipeline and Storage Inc.

RESPONSE:

Objection. This question is not relevant to the jurisdictional status of WKG Storage, Inc. Without waiving its objections, WKG Storage, Inc. affirmatively states that the Commission does not require the filing of those reports and has never cited WKG Storage, Inc. for failure to do so.

Respondent: Joe Christian

**Case No. 2016-00053
WKG Storage, Inc.
AG RFI Set No. 2
Question No. 2-17
Page 1 of 1**

REQUEST:

Reference Commission Staff s Memorandum in this case, dated March 1, 2016 to answer the following:

- a. Explain in complete detail what a "transmission company" is and provide any and all references to applicable law, including definitions.
- b. Explain in complete detail why WKG Storage is considered a "transmission company" under Kentucky state law or any law which may designate it as such. Provide any and all references to applicable law.
- c. Explain in complete detail why "transmission companies" are not required to file annual reports with the Kentucky Public Service Commission. Provide any and all references to all applicable case law, statute, regulation, etc.

RESPONSE:

Objection. This question is not relevant to the jurisdictional status of WKG Storage, Inc. and asks for a legal opinion.

Respondent: Joe Christian

Case No. 2016-00053
WKG Storage, Inc.
AG RFI Set No. 2
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REQUEST:

Reference WKG's response to AG's No. 1-6 to answer the following:

- a. Provide a detailed and complete narrative as to the process WKG Storage took with Orbit Gas Company and Innovative Gas Services, Inc. after its purchase of Kentucky Pipeline and Storage, and why those two companies are no longer customers.
- b. Explain in detail why WKG Storage chose to cease doing business with Orbit Gas Company and Innovative Gas Services, Inc., and instead have Atmos as its sole customer.
- c. In reference to (b), did WKG Storage cease doing business with Orbit Gas Company and Innovative Gas Services, Inc. since it is a subsidiary of Atmos Energy Corporation?
- d. Provide any and all documentation related WKG Storage 's shedding or loss of Orbit Gas Company and Innovative Gas Services as customers.
- e. Provide any and all documentation as to the contractual relationship between WKG Storage and Kentucky Pipeline and Storage before the sale.
- f. Provide any and all documentation as to the contractual relationship between WKG Storage and any other company prior to its purchase of Kentucky Pipeline and Storage.
- g. Provide copies of any and all tariffs to which Orbit Gas Company and Innovative Gas Services were held in compliance and state whether the Kentucky Public Service Commission ever approved those tariffs.

RESPONSE:

Objection. This question is not relevant to the jurisdictional status of WKG Storage, Inc. or the rate case.

Respondent: Joe Christian

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REQUEST:

Does WKG Storage provide the same services that Kentucky Pipeline and Storage previously did? Explain the services performed by Kentucky Pipeline and Storage and describe any changes to service, either in type of service or the method of execution of service, WKG Storage has made since the purchase.

RESPONSE:

Objection. This question is not relevant to the jurisdictional status of WKG Storage, Inc. or the rate case. Without waiving its objection, WKG Storage, Inc. notes that it adopted the then-existing tariff of Kentucky Pipeline and Storage and WKG Storage, Inc. is not aware of Kentucky Pipeline and Storage ever having any other tariff on file with the Commission.

Respondent: Joe Christian

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REQUEST:

Does WKG Storage use a disclaimer when using any of Atmos Energy Corporation's or Atmos Energy Corporation subsidiaries' name, trademark, brand or logo pursuant to 807 KAR 5:080 Section 6? If so, provide documentation of such use. If not, provide the rationale, including citations to applicable law.

RESPONSE:

Objection. This question is not relevant to the jurisdictional status of WKG Storage, Inc. or the rate case.

Respondent: Joe Christian