

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PURCHASED GAS ADJUSTMENT FILING OF)	CASE NO.
NAVITAS KY NG, LLC)	2020-00012

ORDER

This matter arises upon Navitas KY NG, LLC's (Navitas KY) difficulty in complying with filing requirements established by statute and Commission regulation. In the most recent incident, Navitas KY failed to timely and properly respond to Commission Staff's Request for Information (Staff's First Request), which was issued on January 10, 2020.

In Staff's First Request, Item 1, Staff requested that Navitas KY provide a copy of its GCR report in Excel spreadsheet format, with a due date of January 17, 2020. Because the response had not been received, on January 21, 2020, Staff notified Navitas KY by electronic mail that the response was overdue. That same day, Navitas KY responded that it had filed its response on January 10, 2020, by electronic mail and mailed a paper copy. We note that the Commission has not received the paper copy that Navitas KY mailed on January 10, 2020, and that the response was emailed to an electronic mail address that is used to send, but not receive electronic mail and, therefore, is not monitored.

The Commission finds that clarification is necessary to avoid future recurrence of this issue. Pursuant to Commission regulation 807 KAR 5:001, Section 7, unless electronic filing procedures have been established, parties must file documents with the Commission in paper format, with deviation granted, pursuant to 807 KAR 5:001,

Section 22, for documents, such as those requested in this proceeding, to be filed electronically via a thumb drive. The Commission cannot accept documents for filing into a case record by electronic mail or by facsimile transmission pursuant to 807 KAR 5:001, Section 7(4). If a party elects to use electronic filing procedures, 807 KAR 5:001, Section 8 provides the procedures to request and to utilize electronic filing, which includes the filing of documents in the Commission's electronic Filing System in PDF or Excel format.

Because Navitas KY files quarterly gas cost recovery filings and because the Commission directed Navitas KY to file electronic copies of Navitas KY's GCR documents in Excel format in all future GCR filings, the Commission finds that Navitas KY should file all future GCR filings as electronic cases using the electronic filing procedures set forth in 807 KAR 5:001, Section 8. To that end, Staff has provided Navitas KY with information to facilitate electronic case filings.¹

The Commission HEREBY ORDERS that Navitas KY shall file all future GCR filings using the electronic filing procedures in of 807 KAR 5:001, Section 8.

¹ See Case No. 2020-00012, Notice of Filing Emails (Ky. PSC Jan.23, 2020).

By the Commission

ENTERED
JAN 27 2020
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



Executive Director

Case No. 2020-00012

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