

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF CITIPOWER,)	CASE NO.
LLC FOR A RATE ADJUSTMENT FOR SMALL)	2020-00342
UTILITIES PURSUANT TO 807 KAR 5:076)	

ORDER

On October 28, 2020, Citipower, LLC (Citipower) filed an application, pursuant to 807 KAR 5:076, requesting to adjust its monthly gas service rates. Pursuant to 807 KAR 5:076, Section 11, the Commission hereby states that a staff report will not be issued in this proceeding. The information needed in this case will be obtained through the application and Commission Staff's requests for information. Additionally, Citipower or any party to this proceeding may request a formal hearing pursuant to the procedural schedule appended hereto.¹

IT IS THEREFORE ORDERED that:

1. The procedural schedule set forth in the Appendix to this Order, which is attached hereto and incorporated herein, shall be followed.
2. a. Responses to requests for information shall be appropriately bound, tabbed and indexed, with the original and an electronic version to the Commission. The Commission expects the original documents to be filed with the Commission within

¹ No action is necessary to suspend the effective date of Citipower's proposed rates for service. Pursuant to 807 KAR 5:076, Section 7(1), an applicant who applies for a rate adjustment pursuant to the procedures set for in 807 KAR 5:076 may not place its proposed rates into effect until the Commission approves those rates or six months from the date of the filing of its application. In compliance with that regulation, Citipower indicated that its proposed rates would not become effective until May 1, 2021, unless the Commission orders otherwise.

30 days of the lifting of the current state of emergency. Electronic documents shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked. Each response shall include the name of the witness responsible for responding to the questions related to the information provided.

b. Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

c. Any party shall make timely amendment to any prior response if it obtains information that indicates the response was incorrect when made or, though correct when made, is not incorrect in any material respect.

d. For any request to which a party fails or refuses to furnish all or part of the requested information, the party shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

e. Careful attention should be given to copied material to ensure that it is legible. When the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this request.

f. A party filing a paper containing personal information shall, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the paper so that personal information cannot be read.

3. 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. Further, KRS 278.040(2) requires that a person seeking intervention have an interest in the rates or service of a utility, as those are the only matters that are subject to the Commission's jurisdiction. 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 that 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 a potential impact of possible modification of rates will not be deemed sufficient to establish a special interest. In addition, any motion to intervene filed after the date established in the procedural schedule attached as an Appendix to this Order 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.

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

5. The Commission directs the parties to the Commission's March 16, 2020 and March 24, 2020 Orders in Case No. 2020-00085² regarding filings with the Commission. The Commission expects the original documents to be filed with the Commission within 30 days of the lifting of the current state of emergency.

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

² Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC Mar. 16, 2020), Order at 5–6. Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC Mar. 24, 2020), Order at 1–3.

By the Commission



ATTEST:



Deputy Executive Director

Case No. 2020-00342

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2020-00342 DATED NOV 25 2020

- Requests for intervention shall be filed no later than 12/07/2020
- Initial requests for information upon Citipower shall
be filed no later than..... 12/18/2020
- Citipower shall file responses to initial requests
for information no later than 01/11/2021
- Supplemental requests for information upon
Citipower shall be filed no later than 01/29/2021
- Citipower shall file responses to supplemental requests
for information no later than 02/12/2021
- A request for a formal hearing or statement
that this case may be submitted based on the
existing record shall be filed no later than..... 02/19/2021

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