

**REED WEITKAMP  
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TREVOR L. EARL

May 27, 2010

*Via Federal Express*

Mr. Jeff Derouen  
Executive Director  
Public Service Commission  
211 Sower Boulevard  
P.O. Box 615  
Frankfort, Kentucky 40602-0615

RECEIVED

MAY 28 2010

PUBLIC SERVICE  
COMMISSION

**RE: Case No. 2010-00146**

Dear Mr. Derouen:

Please find enclosed herewith for filing an original and 11 copies of the MXenergy's Motion to Intervene in the referenced action. Please return a file-stamped copy in the enclosed envelope. Please contact me should you have any questions or concerns pertaining to the same.

Sincerely,



Trevor L. Earl  
Counsel for Intervenor,  
**MXenergy Inc.**

TLE:kac  
Enclosures

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

MAY 28 2010

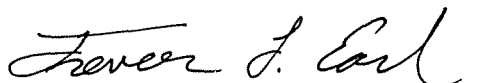
PUBLIC SERVICE  
COMMISSION

In the Matter of:

AN INVESTIGATION OF NATURAL GAS )  
RETAIL COMPETITION PROGRAMS )

CASE NO. 2010-00146

MXENERGY'S MOTION TO INTERVENE



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Local Counsel for Intervenor MXenergy

Counsel for Intervenor:

Sandra Minch Guthorn  
Senior Counsel Regulatory Affairs  
MXENERGY  
10010 Junction Drive., Suite 104-S  
Annapolis junction, MD 20701  
Phone: 240-456-0505 x5520  
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sguthorn@mxenergy.com

**COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION**

In the Matter of:

AN INVESTIGATION OF NATURAL GAS            )  
RETAIL COMPETITION PROGRAMS            )        CASE NO. 2010-00146

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**MXENERGY'S MOTION TO INTERVENE**

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Now comes MXenergy Inc. ("MX") by counsel, and moves for full intervenor status in this action pursuant to KRS 278.310 and 807 KAR 5:001 Section 3(8), to the fullest extent permitted by law, on behalf of itself and the significant number of consumers it serves pursuant to the current small volume transportation program ("Choice program"). This full intervenor request is pursuant to the Order of the Kentucky Public Service Commission entered on April 19, 2010. MXenergy Inc.'s basis for intervention is that it has different commercial interests than the jurisdictional natural gas distribution utilities with 15,000 or more customers in Kentucky or the Kentucky Attorney General who at present are parties in Case No. 2010-00146. This proceeding will have a direct impact on MX and its current and potential customers. In support of the foregoing motion, MXenergy Inc. states as follows:

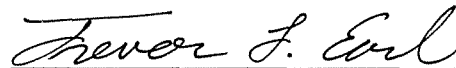
1. MX is a natural gas supply marketer doing business in Kentucky
2. MX provides natural gas supply in 12 states and 2 provinces. MX provides natural gas in 30 gas distribution service territories.

3. At present, MX supplies natural gas under the Columbia Gas of Kentucky Choice Program which offers the only small volume choice program in Kentucky.

4. MXenergy Inc. requests that all documents in this matter be served both upon counsel identified below and upon MXenergy as follows:

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Annapolis junction, MD 20701  
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Fax: 240-456-0519  
sguthorn@mxenergy.com

Respectfully Submitted,



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Counsel for Petitioner,

**MXenergy Inc.**