

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ALTERNATIVE RATE FILING ADJUSTMENT)	CASE NO.
APPLICATION OF JOHNSON COUNTY GAS)	2012-00140
COMPANY)	

ORDER

On April 11, 2012, Johnson County Gas Company (“Johnson County”) tendered an application in this matter. After its application was found to be deficient, Johnson County submitted supplemental filings on August 10 and 29, 2012, which cured its deficiencies.¹

On December 5, 2012, Johnson County submitted a new rate proposal that contains rates greater than its original rates.² In its submission, Johnson County stated: “This amended request completely supplants the original request for increase in rates”³ The rates contained in Johnson County’s original request for increase in rates are the rates contained in the publication of notice filed with the Commission on September 7, 2012.

In response to Commission Staff’s Third Request for Information (“Staff’s Third Request”) Johnson County stated its belief that submission of a new proposed rate structure in its response to Staff’s Second Request does not require the Commission to

¹ Johnson County was notified by letter from the Director of the Commission’s Filing Division, dated August 30, 2012, that its application met the Commission’s minimum filing requirements and was considered filed based on the supplemental information Johnson County submitted on August 29, 2012.

² Johnson County’s Response to Staff’s Second Request For Information, Item 2.b.

³ *Id.*, Item 1.b.

establish a new “filed date” for its rate application.⁴ Johnson County’s response also stated that if the Commission believed that its “customers should receive notice of the new rate structure, Johnson County would be happy to provide such notice in whatever way the Commission requires . . . ”⁵

Having considered the matter, the Commission finds that:

1. In its response to an information request, Johnson County has proposed a new rate structure roughly three months after its application was deemed to be filed.
2. Although it does not necessitate the filing of a new application, proposing a new rate structure, as Johnson County has done, requires that a new “filed” date be established for this proceeding.
3. Proposing a new rate structure also means that Johnson County must provide notice of its new rate proposal to its customers.

IT IS THEREFORE ORDERED that:

1. Johnson County’s application, as revised with its new rate proposal, will now be considered “filed” as of December 5, 2012, the date the new rate proposal was received by the Commission.
2. As Johnson County did not file its new proposed rates in tariff form with a proposed effective date, there is no need to suspend those proposed rates.⁶

⁴ Johnson County’s Response to Staff’s Third Request For Information, Item 1.a.

⁵ *Id.*

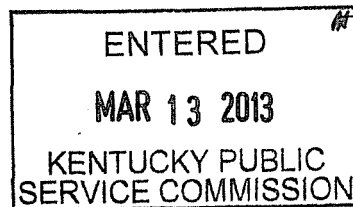
⁶ No action is necessary to suspend Johnson County’s proposed rates for gas service. Pursuant to 807 KAR 5:076, Section 7(1), an applicant who applies for a rate adjustment pursuant to the procedures set forth in 807 KAR 5:076 (the regulation governing Alternative Rate Filings) may not place its proposed rates into effect until the Commission approves those rates or six months from the date of the filing of its application, whichever occurs first.

3. Pursuant to 807 KAR 5:076, Johnson County may not place its proposed rates into effect prior to June 6, 2013.


4. Johnson County shall provide notice to its customers of its new proposed rates as prescribed in 807 KAR 5:001, Sections 16(3) and (4), and shall provide proof of notice as prescribed in 807 KAR 5:001, Section 16(5).

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

By the Commission



ATTEST:



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