

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF NATURAL ENERGY UTILITY)	
CORPORATION FOR APPROVAL OF)	CASE NO. 2017-00049
CONSTRUCTION OF A NATURAL GAS PIPELINE)	
AND ISSUANCE OF A CERTIFICATE OF)	
CONVENIENCE AND NECESSITY)	

ORDER

On January 24, 2017, Natural Energy Utility Corporation (“NEUC”) filed with the Commission an application for a Certificate of Public Convenience and Necessity (“CPCN”) authorizing it to construct a 3.1-mile gas pipeline to serve a new industrial customer. NEUC’s application included the Gas Service Agreement (“Agreement”) with the new industrial customer. The Agreement, which was also filed separately through the Commission’s electronic Tariff Filing System on January 10, 2017, states that it will become effective upon the date service commences. KRS 278.180(1) requires a utility to provide the Commission with 30 days’ notice before making changes in any rate. Therefore, the earliest possible effective date for the Agreement is February 9, 2017, which is 30 days after the date the Agreement was originally filed as a tariff.

Having reviewed the proposed Agreement, we find that further proceedings are necessary to determine its reasonableness, that these proceedings cannot be completed prior to the earliest possible effective date of the Agreement, and that the Agreement should be suspended pursuant to KRS 278.190(2) and reviewed in this case in conjunction with NEUC’s application for a CPCN. The Commission acknowledges

NEUC's request for a decision by March 1, 2017, to accommodate the construction schedule and the new customer's request for service by June 1, 2017, and we will use our best efforts to expedite our review of the application and the Agreement.

IT IS THEREFORE ORDERED that:

1. NEUC's proposed Agreement to provide gas service to a new industrial customer shall be reviewed and its reasonableness investigated in this proceeding.
2. The proposed Agreement is suspended for five months from February 9, 2017, up to and including July 8, 2017.

By the Commission



ATTEST:


Executive Balance

*Honorable John N Hughes
Attorney at Law
124 West Todd Street
Frankfort, KENTUCKY 40601

*Natural Energy Utility Corporation
2560 Hoods Creek Pike
Ashland, KY 41102