

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF BLUEGRASS)	CASE NO.
GAS SALES, INC. FOR A RATE ADJUSTMENT)	2021-00483
PURSUANT TO 807 KAR 5:076)	

ORDER

On December 30, 2021, Bluegrass Gas Sales, Inc. (Bluegrass) tendered an application, pursuant to 807 KAR 5:076, requesting to adjust its gas service rates. The Commission notified Bluegrass by letter dated January 4, 2022, that its application was rejected for failure to satisfy the minimum filing requirements set forth in certain Commission regulations. Bluegrass subsequently cured the filing deficiencies and its application was deemed filed as of January 18, 2022.

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. Bluegrass or any party to this proceeding may request a formal hearing pursuant to the procedural schedule appended hereto. The Commission finds that a procedural schedule¹ should be established to ensure the orderly review of Bluegrass's application. The procedural schedule is attached as an Appendix to this Order.

¹ No action is necessary to suspend the effective date of Bluegrass'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.

IT IS THEREFORE ORDERED that:

1. The procedural schedule set forth in the Appendix to this Order shall be followed.

2. The Commission directs the parties to the Commission's July 22, 2021 Order in Case No. 2020-00085² regarding filings with the Commission.

3. If a party requests a hearing or informal conference, then the party shall make the request in writing and state the reason why a hearing or informal conference is necessary.

4. A party's failure to request a hearing or informal conference shall be deemed a waiver of all rights to a hearing on the application and a request that the case stand submitted for decision.

5. 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 that 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 must 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

² Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC July 22, 2021), Order (in which the Commission ordered that for case filings made on and after March 16, 2020, filers are NOT required to file the original physical copies of the filings required by 807 KAR 5:001, Section 8).

the issues and facts the person will present that will assist the Commission in fully considering the matter. A mere recitation of the quantity of gas 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.

6. Bluegrass shall give notice of the hearing in accordance with the provisions set forth in 807 KAR 5:001, Section 9(2). In addition, the notice of hearing shall include the following statement: "This hearing will be streamed live and may be viewed on the PSC website, psc.ky.gov"; and "Public comments may be made at the beginning of the hearing. Those wishing to make oral public comments may do so by following the instructions listed on the PSC website, psc.ky.gov." At the time publication is requested, Bluegrass shall forward a duplicate of the notice and request to the Commission.

7. At any public hearing in this matter, neither opening statements nor summarization of direct testimonies shall be permitted.

8. Pursuant to KRS 278.360 and 807 KAR 5:001, Section 9(9), a digital video recording shall be made of the hearing.

9. 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.

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

By the Commission

ENTERED
JAN 25 2022 rcs
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:


Executive Director

Case No. 2021-00483

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2021-00483 DATED JAN 25 2022

Requests for intervention shall be filed no later than.....02/04/2022

All requests for information to Bluegrass
shall be filed no later than 02/11/2022

Bluegrass shall file responses to requests
for information no later than 02/25/2022

All supplemental requests for information to
Bluegrass shall be filed no later than..... 03/11/2022

Bluegrass shall file responses to supplemental
requests for information no later than..... 03/25/2022

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.....04/08/2022

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