

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC PURCHASED GAS ADJUSTMENT	)	CASE NO.
FILING OF NAVITAS KY NG, LLC	)	2024-00401

ORDER

On December 31, 2024, Navitas KY NG, LLC (Navitas KY) filed its quarterly Gas Cost Recovery (GCR) rate report with a proposed effective date of February 1, 2025. In Navitas KY's last four GCR cases, No. 2024-00308; 2024-00184; 2024-00079; and 2023-00428 they had severe issues with their GCR rate report. After reviewing the current GCR rate report, the Commission has determined that further discovery is necessary to gather information pertaining to Navitas' Schedule IV, ACA calculations.

KRS 278.030 provides that a utility may collect fair, just and reasonable rates and that the service it provides must be adequate, efficient and reasonable. Having reviewed the proposed GCR rate report and being otherwise sufficiently advised, the Commission finds that an investigation cannot be completed before February 1, 2025. Therefore, pursuant to KRS 278.190(2), the Commission will suspend the effective date of the proposed GCR rates for one day, until February 2, 2025, to give the Commission time to investigate the proposed GCR rates, and to allow Navitas to begin charging the GCR rates, pending a final Order and subject to refund, provided it provides written notice to the Commission of its intention to do so as required by KRS 278.190(2).

The Commission directs Navitas KY to the Commission's July 22, 2021, Order in Case No. 2020-000856<sup>1</sup> in which the Commission mandated the use of electronic filing procedures listed in 807 KAR 5:001, Section 8. The Commission finds that electronic filing procedures should be used, consistent with the filing procedures set forth in Case No. 2020-00085.

IT IS THEREFORE ORDERED that:

1. Navitas KY's proposed GCR rates are suspended for one day, to February 2, 2025.
2. Navitas KY's proposed GCR rates may be placed in effect by Navitas KY on, or after February 2, 2025, pending the final Order in this matter and subject to refund, provided Navitas KY files written notice to the Commission of its intention to do so as required by KRS 278.190(2).
3. If Navitas KY files notice of its intention to place the proposed GCR rates into effect after the end of the suspension period, Navitas KY shall maintain its records in such manner as will allow it, the Commission, or any customer to determine the amounts to be refunded and to whom in the event of a refund is ordered upon final resolution of this matter.
4. Navitas KY shall respond to all requests for information propounded by Commission Staff, whether identified on the procedural schedule or otherwise, as provided in those requests.

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<sup>1</sup> Case No. 2020-00085, Electronic Emergency Docket Related to the Novel Coronavirus COVID19 (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).

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, 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. 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 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 the potential impact of possible modification of rates will not be deemed sufficient to establish a special interest.

6. Any motion to intervene after the date established in the procedural schedule 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.

7. Navitas KY 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 the hearing shall include the following statements: "This hearing will be streamed live and may be viewed on the PSC website, [psc.ky.gov](http://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](http://psc.ky.gov)." At the time publication is requested, Navitas KY shall forward a duplicate of the notice and request to the Commission.

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

9. Any hearing scheduled in this matter shall be held on the designated day or days and continued until called from the bench by the presiding officer. Pursuant to 807 KAR 5:001, Section 2, if the hearing is not concluded on the designated day, the hearing shall be continued upon verbal announcement by the presiding officer. A verbal announcement made by the presiding officer shall be proper notice of the continued hearing.

10. Witnesses who sponsor schedules, testimony, or responses to requests for information shall participate in person at any hearing scheduled in this matter.

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

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

13. The Commission does not look favorably upon motions to excuse witnesses from testifying at Commission hearings. Accordingly, motions to excuse a witness from testifying at a Commission hearing or from testifying in person at a Commission hearing shall be made in writing and will be granted only upon a showing of good cause

PUBLIC SERVICE COMMISSION

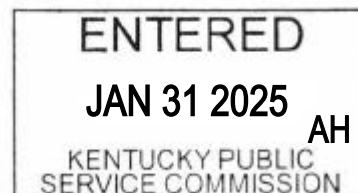
  
Chairman

  
Commissioner

  
Commissioner

ATTEST:

   
Executive Director



APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE  
COMMISSION IN CASE NO. 2024-00401 DATED JAN 31 2025

Requests for intervention shall be filed no later than ..... 02/10/2025

All requests for information to Navitas KY  
shall be filed no later than ..... 02/14/2025

Navitas KY shall file responses to requests  
for information no later than ..... 02/28/2025

All supplemental requests for information to  
Navitas KY shall be filed no later than ..... 03/10/2025

Navitas KY shall file responses to supplemental  
requests for information no later than ..... 03/24/2025

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