

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF NAVITAS KY)	CASE NO.
NG, LLC FOR AN ALTERNATIVE RATE FILING)	2025-00332
PURSUANT TO 807 KAR 5:076)	

ORDER

On October 14, 2025, Navitas KY NG, LLC (Navitas KY) tendered its application with the Commission requesting an adjustment to its natural gas rates pursuant to 807 KAR 5:076. In addition, Navitas KY filed a motion requesting emergency rate relief pursuant to KRS 278.190(2). On October 24, 2025, Navitas KY and Commission Staff held an Informal Conference to discuss Navitas KY's customer notice and items regarding the request for emergency rate relief.¹ On October 27, 2025, Navitas KY filed additional information in support of its application and as requested in the October 24, 2025 Informal Conference with Staff.² On October 31, 2025, Navitas KY was notified via letter that its application was deficient; however, on November 7, 2025, Navitas KY filed a revised customer notice as well as a request for any necessary deviations related to notice.

The Commission has reviewed Navitas KY's request for a deviation from applicable notice requirements in Commission regulations in order to mail the corrected customer notice as well as notice of the hearing in one mailing.³ The Commission first

¹ Informal Conference Memo (KY. PSC Nov. 14, 2025).

² Order scheduling the October 24, 2025, informal conference (KY. PSC Oct. 21, 2025).

³ Navitas KY's response to deficiencies (filed Nov. 7, 2025).

notes that the corrected customer notice filed on November 7, 2025, resolves the application deficiencies. Commission regulation 807 KAR 5:076 Section 5(2)(b)(2) requires customer notice to be mailed to customers “no later than the date the application is submitted to the commission.” Navitas KY argued that, in order to save on notice expense, revised customer notice and hearing notice should be mailed together.⁴ The Commission finds that Navitas KY has provided good cause to grant a deviation to 807 KAR 5:076 Section 5(2)(b)(2). Considering Navitas KY has requested emergency rate relief, the Commission agrees that this request, seeking to minimize rate case related expense, is appropriate. However, as set forth below, the Commission continues to ensure notice as part of due process.

The Commission finds that, with the deviation, Navitas KY’s application is deemed filed as of the date of issuance of this Order. The Commission further finds that Navitas KY should provide corrected customer notice and hearing notice in a mailing to customers in compliance with all other applicable regulations and within seven days of service of this Order. Navitas KY should provide an affidavit related to the notice, confirming that the notice has been completed in the required time within seven days of the mailing.

The Commission further finds that a procedural schedule⁵ should be established to ensure the orderly review of Navitas KY’s application. The procedural schedule is attached as Appendix A to this Order. The Commission may enter additional procedural Order(s) in this matter.

⁴ Navitas KY’s response to deficiencies (filed Nov. 7, 2025).

⁵ No action is necessary to suspend the effective date of Navitas KY’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.

The Commission also finds that Navitas KY has demonstrated that it may be materially impaired should emergency rate relief not be granted, and as such, a hearing should be scheduled to evaluate Navitas KY's request for emergency rate relief. A hearing to address Navitas KY's request for emergency rate relief in this matter should be held on December 5, 2025, at 9:00 a.m. Eastern Standard Time and continue until called from the bench by the presiding officer.

In addition, Navitas KY should file on or before the date set forth in the procedural schedule its responses to the Commission Staff's (Staff) request for information, attached to this Order as Appendix B, and should respond to any future requests for information propounded by Staff by the date or dates set forth on any such requests.

IT IS THEREFORE ORDERED that:

1. Navitas KY's request for a deviation of 807 KAR 5:076, Section 5(2)(b)(2) is granted.
2. Navitas KY's application is deemed filed as of the date of the issuance of this Order.
3. Navitas KY's request for a hearing for rate relief is granted.
4. Navitas KY shall mail both the corrected customer notice as well as the hearing notice within seven days of issuance of this Order.
5. Navitas KY shall file an affidavit providing confirmation of the mailing of notice within seven days of the mailing.
6. A hearing in this matter shall be held on December 5, 2025, at 9:00 a.m. Eastern Standard Time and continuing until called from the bench by the presiding officer,

in the Richard Raff Hearing Room at the offices of the Public Service Commission at 211 Sower Boulevard, Frankfort, Kentucky.

7. Pursuant to 807 KAR 5:001, Section 2, if the hearing is not concluded on the designated day, the hearing may 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.

8. Witnesses who sponsor schedules, testimony, or responses to requests for information shall participate in person at the December 5, 2025, hearing.

9. Navitas KY shall file a witness list at least seven days prior to the hearing date.

10. Navitas KY shall give notice of the hearing in compliance with 807 KAR 5:001, Section 9(2)(b). In addition, the notice of hearing shall include the following statements: "This hearing will be streamed live and may be viewed by connecting to the YouTube link posted on the PSC website, psc.ky.gov" the day of the hearing, and "Public comments may be made at the beginning of the hearing. Those wishing to provide -public comments may do so by arriving at 211 Sower Boulevard, Frankfort, Kentucky, before the start of the hearing."

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

12. The procedural schedule set forth in Appendix A to this Order shall be followed.

13. On or before the date set forth in the procedural schedule, Navitas KY shall file its responses to the Staff's request for information, attached to this Order as Appendix B.

14. Navitas KY shall respond to any additional requests for information propounded by Staff as provided in those requests.

15. If a party requests an additional hearing or an informal conference, then the party shall make the request in its written comments and state the reason a hearing or informal conference is necessary.

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

17. As set forth in 807 KAR 5:001, Section 4(11), 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 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 the utility 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.

18. Any motion to intervene filed after the date established in the procedural schedule attached as Appendix A 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.

19. 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.

20. The Commission directs the parties to the Commission's July 22, 2021, Order in Case No. 2020-00085⁶ regarding filings with the Commission.

21. Nothing in this Order shall be construed as preventing the Commission from entering additional Orders in this matter.

⁶ 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).

PUBLIC SERVICE COMMISSION


Chairman


Commissioner


Commissioner

ATTEST:

 
Executive Director



APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2025-00332 DATED NOV 18 2025

Requests for intervention shall be filed no later than..... 11/26/2025

Navitas KY shall file responses to requests
for information no later than 12/01/2025

Hearing, Public Service Commission
211 Sower Blvd., Richard Raff Hearing Room,
Frankfort, KY 40601.....12/05/2025

APPENDIX B

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE COMMISSION IN CASE NO. 2025-00332 DATED NOV 18 2025

COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO NAVITAS KY NG, LLC

Navitas KY NG, LLC (Navitas KY), pursuant to 807 KAR 5:001, shall file with the Commission an electronic version of the following information. The information requested is due on December 1, 2025. The Commission directs Navitas KY to the Commission's July 22, 2021, Order in Case No. 2020-00085¹ regarding filings with the Commission. Electronic documents shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked.

Each response shall include the question to which the response is made and shall include the name of the witness responsible for responding to the questions related to the information provided. Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or the person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

Navitas KY shall make timely amendment to any prior response if Navitas KY obtains information that indicates the response was incorrect or incomplete when made

¹ 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).

or, though correct or complete when made, is now incorrect or incomplete in any material respect.

For any request to which Navitas KY fails or refuses to furnish all or part of the requested information, Navitas KY shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

Careful attention shall be given to copied and scanned material to ensure that it is legible. When the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this request. When applicable, the requested information shall be separately provided for total company operations and jurisdictional operations. When filing a paper containing personal information, Navitas KY shall, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the paper so that personal information cannot be read.

1. Refer to 807 KAR 5:001, Section 17(b). Provide evidence that Navitas KY complied with the referenced regulation.
2. Refer to 807 KAR 5:076, Section 4(2)(b). Provide evidence that Navitas KY complied with the referenced regulation.
3. Provide a schedule listing the number of occurrences for each nonrecurring charge that was recorded during the test year and the total amount recorded for each nonrecurring charge. If the revenue for any nonrecurring charge was zero, include that charge and indicate that no revenue was recorded. Include the general ledger account numbers where each nonrecurring charge is recorded. Provide in unlocked Excel spreadsheet format with all formulas, rows, and columns fully accessible and unprotected.

4. A Nonrecurring Charge Cost Justification form is available on the Commission's website.² Fill out the form separately for each of Navitas KY's nonrecurring charges to support each nonrecurring charge listed in the tariff.

5. Provide the number of occurrences and dollar amounts for late fees that were recorded during the calendar years 2023 and 2024.

6. Explain whether Navitas KY has any special contract customers that are being billed a rate different from the current tariffed rates. If so, provide the contract and provide the monthly and annual usage for each special contract customer.

7. Provide copies of each of the following, and when appropriate, provide in Excel spreadsheet format with all formulas, rows, and columns fully accessible and unprotected. Employee names should be redacted from all documents.

a. The general ledger in Excel spreadsheet format for the year ended December 31, 2024, and through September 30, 2025.

b. The trial balance in Excel spreadsheet format for the year ended December 31, 2024, and through September 30, 2024.

8. Provide certificates of insurance and most recent invoices for general liability, workers' compensation, automobile, property, and casualty for 2024 and 2025.

9. Provide a description of all employee benefits paid to or on behalf of each employee for the calendar year 2024. Supplemental coverage for which the employee pays 100 percent of the cost should also be included. Employee names should be redacted from all documents.

² The Nonrecurring Charge Cost Justification form is located on the Kentucky Public Service Commission's website at <https://psc.ky.gov/Home/UtilForms>.

10. Provide a copy of the most recent invoice for each employee benefit(s) described and provided in the response to Item 9.

11. Using a table format, provide an Excel spreadsheet with all formulas, rows, and columns fully accessible and unprotected that lists each position (Position 1, Position 2, etc.) job titles, hours worked, pay rates, total wages paid, and total FICA cost for each employee for the year ended December 31, 2024, and 2025 year to date. Include the date each employee was hired and, if applicable, the employee's termination date. If a position is recently vacated but the intent is to fill it, note the vacancy and the amount of time that it has been vacant. The table should include a column for total wages by employee (regular wages and overtime) and a row for total hours worked, wages paid, and FICA for all employees. Employee names should be redacted from all documents.

12. Using the same table created in response to Item 11, list each employee benefit (medical, dental, life, and others), the employee's contribution, and the employer premium contribution. If medical insurance is provided, designate the coverage type (i.e., single, family, couple, or parent plus). If benefits other than medical insurance are provided, include a total column for the cost of all benefits.

13. Provide a document listing the name of each Navitas KY (or its parent company) director for each of the calendar years 2024 and 2025 to date. State, individually, the total amount of each benefit paid to, or on the behalf of, each director during each year (i.e., wages, health insurance premiums, life insurance premiums, FICA taxes, etc.), their term (beginning and ending), and current authorized annual compensation.

14. Provide minutes from Navitas KY's (or its parent company) directors' meetings that authorized current salaries and wages for all current employees.

15. Provide the minutes from Navitas KY's (or its parent company) directors' meetings for the calendar years 2023, and 2024, and 2025 to date.

16. Provide copies of the most recent reports or internal audits, prepared by Navitas KY and outside auditors, that have been conducted within the last ten years.

17. Provide the following with respect to new tap installations:

a. Number of installations during the test year.

b. State whether labor costs were capitalized and, if so, provide the total amount and designate the line in the fixed assets listing that reflects the capitalization.

c. State whether material costs were capitalized and, if so, provide the total amount and designate the line in the fixed assets listing that reflects the capitalization.

18. Refer to Navitas KY's request for emergency rate relief, page 4.

a. Provide the calculation for the approximately \$137,000 in additional revenue in Excel spreadsheet format with all formulas, columns, and rows unprotected and fully accessible.

b. State how Navitas KY determined its minimum increase amount. Include in the response the expenses included in the determination and the amount of those expenses for the test year.

19. Provide Navitas KY's gas cost recovery revenues for 2024.

*R. Brooks Herrick
Dinsmore & Shohl, LLP
101 South Fifth Street
Suite 2500
Louisville, KY 40202

*Carlos Gonzalez
Navitas KY NG, LLC
3186-D Airway Avenue
Costa Mesa, CA 92626

*M. Evan Buckley
Dinsmore & Shohl, LLP
City Center, 100 W. Main Street
Suite 900
Lexington, KY 40507

*Hannah Thompson
Dinsmore & Shohl, LLP
101 South Fifth Street
Suite 2500
Louisville, KY 40202

*Thomas Hartline
Navitas KY NG, LLC
3186-D Airway Avenue
Costa Mesa, CA 92626

*Navitas KY NG, LLC
3186-D Airway Avenue
Costa Mesa, CA 92626