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**Case Management System - KY Public Service Commission***Administrative Cases Before the Commission as of April 25, 2026***2010-00146**

RECEIVED: 04/19/10

FILED: 04/19/10

FINAL: 12/28/10

REOPENED:

SUSPENSION DATE:

CASE NATURE: Natural Gas Retail Competition Programs

**CASE CODE**

Administrative

INTERVENORS: Cook - AG/Dosker - Stand

**HEARINGS:**

10/20/10 Formal Hearing  
 10/19/10 Formal Hearing  
 10/12/10 Informal Conference  
 04/27/10 Informal Conference

**INDEX OF EVENTS:**

12/28/10 Final Order Entered:  
 (1) The report appended hereto is incorporated into this Order as if fully set forth herein.  
 (2) The Executive Director shall cause a copy of this report to be delivered to the Legislative Research Commission.  
 (3) This proceeding is closed and is removed from the Commission's docket.

11/23/10 Letter to John M. Dosker granting Stand Energy Corporation's petition for confidentiality filed 10/11/10 for protection of certain information

11/02/10 Response letter to Kentucky Society of Healthcare Engineers  
 11/02/10 Response letter to Norton Suburban Hospital  
 11/02/10 Response letter to Lake Cumberland Regional Hospital  
 11/02/10 Response letter to Taylor Regional Hospital  
 11/02/10 Response letter to Central Baptist Hospital  
 11/02/10 Response letter to Ephraim McDowell Health  
 11/02/10 Response letter to Muhlenberg Community Hospital  
 11/02/10 Response letter to Fleming County Hospital  
 11/02/10 Atmos Energy Brief  
 11/01/10 Response Letter to Camco Chemical  
 11/01/10 LG&E's Post-Hearing Brief  
 11/01/10 Walmart and Sam's East Post-Hearing Brief  
 11/01/10 Retail Energy Supply Association's Post-Hearing Brief  
 11/01/10 Atmos Energy's Brief (Fax)  
 11/01/10 LG&E's Post-Hearing Brief  
 11/01/10 Delta Natural Gas Company's Post-Hearing Brief  
 11/01/10 Attorney General's Brief  
 11/01/10 Stand Energy's Post-Hearing Brief  
 11/01/10 Duke Energy's Post-Hearing Brief  
 11/01/10 Duke Energy's Post-Hearing Brief  
 11/01/10 AARP's Post-Hearing Brief  
 11/01/10 Columbia Gas of Kentucky's Post-Hearing Brief  
 11/01/10 Association of Community Ministries Post-Hearing Brief  
 11/01/10 IGS, SouthStar and Vectren's Post-Hearing Brief  
 11/01/10 Community Action Council's Post-Hearing Brief  
 10/29/10 Nancy Brockway's Responses to Post-Hearing Data Requests  
 10/28/10 Stand Energy's Post Hearing Data Responses  
 10/28/10 Interstate Gas Supply, Southstar Energy Service and Vectren Source's Post Hearing Responses to the PSC Staff  
 10/28/10 Atmos Energy's Post Hearing Response to Staff's Requests (Original)  
 10/27/10 Notice of Filing  
 10/27/10 IGS, SouthStar and Vectren's Response to Post Hearing Data Requests of Commission Staff (FAX)  
 10/27/10 Stand Energy's Post Hearing Data Requests (Faxed)  
 10/27/10 LG&E's Response to Post Hearing Data Request of 101910

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10/27/10 Atmos Energy's Post Hearing Response to Staff's Requests (Fax)  
 10/26/10 IGS, SouthStar and Vectren Source's Notice of Erratum  
 10/26/10 IGS, SouthStar and Vectren Source's Notice of Erratum  
 10/20/10 Public Comments from Various Individuals  
 10/20/10 Camco Chemical Company's Comments  
 10/19/10 Response letter to Toeppen  
 10/19/10 Letter of Concern from CenterPoint Energy  
 10/18/10 Order Entered: The Attorney General's motion is granted and that he shall accept the existing procedural schedule.  
 10/15/10 Public Comments by Bill Toeppen  
 10/14/10 Attorney General's Motion to Intervene  
 10/11/10 Stand Energy PSC Response  
 10/11/10 Stand Energy Revised LG&E Response  
 10/11/10 Stand Energy's Petition for Confidential Treatment  
 10/08/10 Atmos Energy's Notice of Appearance of Mark R. Hutchinson  
 10/07/10 Atmos Energy's Supplemental Responses to SEC's Data Requests dated 071510  
 10/06/10 Order Entered:  
 (1) LG&E's motion to compel is granted.  
 (2) Stand shall provide the information LG&E requested in its First Information Request, Items 1 and 2, dated August 15, 2010 no later than five days from the date of this Order.  
 (3) Stand shall provide the information Staff requested in Staff's First Information Request, Item 6, dated August 15, 2010 no later than five days from the date of this Order.  
 10/06/10 Commission Staff's Notice of Informal Conference  
 10/06/10 Delta Natural Gas Supplemental Response to SEC's First Request for Information dated 100110  
 10/06/10 CGK's Response to SEC's Request of 071510  
 10/01/10 Order Entered:  
 (1) Stand's motion to compel is granted in part and denied in part as set forth herein.  
 (2) Delta shall provide the responses to Stand's Request 1.9 B, D, H, F.1 and the first part of I within five days of the date of this Order.  
 10/01/10 Order Entered:  
 (1) Stand's motion to compel is granted in part and denied in part as set forth herein.  
 (2) Atmos shall provide the responses directed herein within five days of the date of this Order.  
 10/01/10 Order Entered:  
 (1) Stand's motion to compel is granted in part and denied in part as set forth herein.  
 (2) Columbia shall provide the responses directed herein within five days of the date of this Order.  
 10/01/10 Order Entered:  
 Holly Rachel Smith is admitted pro hac vice for the purpose of represent Wal-Mart  
 09/22/10 IGS, SouthStar & Vectren's Rebuttal Testimony of Ellen Williams  
 09/22/10 CGK's Rebuttal Testimony of Judy M. Cooper  
 09/22/10 IGS, SouthStar & Vectren's Rebuttal Testimony of M. Howard Petricoff  
 09/22/10 AARP's Rebuttal Testimony of Nancy Brockway  
 09/22/10 Wal-Mart's Motion Pro Hoc Vice  
 09/22/10 Atmos Energy's Rebuttal Testimony  
 09/22/10 LG&E's Rebuttal Testimony of J. Clay Murphy & Pamela L. Jaynes  
 09/21/10 Order Entered: Jeanne W. Kingery is admitted pro hac vice for the purpose of representing Duke Energy provided that Amy B. Spiller or another member of the Kentucky Bar Association acts as co-counsel and is present at any and all proceedings before this Commission.  
 09/20/10 CGK's Response to Motion of SEC to Compel Responses to Data Requests  
 09/07/10 Atmos Energy's Responses to Staff's 2nd Information Requests  
 09/07/10 Atmos Energy's Responses to IGS, SouthStar and Vectren's 2nd Data Requests  
 09/07/10 Delta Natural Gas' Response to Stand Energy's Motion to Compel  
 09/07/10 RESA's Response to ACM Supplemental Data Requests  
 09/07/10 Entry of Appearance by Mark David Goss  
 09/07/10 Interstate Gas Supply, SouthStar Energy Services, and Vectren Source's response to ACM  
 09/07/10 CGK's Responses to IGS, SouthStar and Vectren's 2nd Request for Information  
 09/07/10 Interstate Gas Supply, South Star Energy Services and Vectren Source's Responses to Commission Staff Data Requests  
 09/07/10 CGK's Responses to Staff's 2nd Information Request

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09/07/10 LG&E's Response to Staff's 2nd Info Request dtd 082010  
 09/07/10 CGK's Responses to ACM's 2nd Request for Information  
 09/07/10 LG&E's Response to 2nd Data Request of IGS, SouthStar and Vectren  
 09/02/10 Duke's Responses to Staff, IGS, SouthStar and Vectren's 2nd Data Requests  
 09/02/10 Duke's Responses to Staff's 2nd Set of Data Requests  
 09/01/10 Order Entered:  
 (1) The procedural schedule established on June 8, 2010 is amended to require all responses to the second information requests to be filed no later than September 7, 2010.  
 (2) All other provisions of the procedural schedule shall remain in full force and effect.

09/01/10 SEC's Motion to Compel Data Request Responses from Atmos Energy  
 08/31/10 Duke Energy's Motion to Admit Pro Hac Vice of Jeanne W. Kingery  
 08/30/10 SEC's Motion to Compel Data Request Responses to Delta Natural Gas  
 08/27/10 SEC's Motion to Compel Data Request Responses to CGK  
 08/27/10 Cawood Water District's Response - KRWA's Report of Recommendations on Management and Operations

08/24/10 Order Entered:  
 1. The motion of Wal-Mart to intervene is granted, and Wal-Mart shall accept the existing procedural schedule.  
 2. Wal-Mart shall be entitled to the full rights of a party and shall be served with the Commission's Orders, filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties after the date of this Order.  
 3. Should Wal-Mart file documents of any kind with the Commission in the course of these proceedings, Wal-Mart shall also serve a copy of said documents on all other parties of record.

08/23/10 Stand Energy's Response to LG&E's Motion to Compel  
 08/20/10 Commission Staff's Second Information Request to Atmos Energy Corporation  
 08/20/10 Commission Staff's Second Information Request to Columbia Gas of Kentucky, Inc.  
 08/20/10 Commission Staff's Second Information Request to Duke Energy Kentucky, Inc.  
 08/20/10 Commission Staff's Second Information Request to Interstate Gas Supply, Inc., Southstar Energy Services, LLC, and Vectren Retail, LLC d/b/a Vectren Source  
 08/20/10 Commission Staff's Second Information Request to Louisville Gas and Electric Company  
 08/20/10 IGS, SouthStar and Vectren's 2nd Data Requests to LG&E  
 08/20/10 IGS, SouthStar and Vectren's 2nd Data Requests to Atmos Energy  
 08/20/10 IGS, SouthStar and Vectren's 2nd Data Requests to CGK  
 08/20/10 ACM's Second Request for Information to Retail Energy Supply Association  
 08/20/10 IGS, SouthStar and Vectren's 2nd Data Requests to Duke Energy  
 08/20/10 ACM's First Request for Information to Interstate Gas Supply, Southstar Energy and Vectren Source  
 08/20/10 ACM's Second Request for Information to Columbia Gas  
 08/06/10 Delta Natural Gas Company, Inc.'s Notice of Entry of Appearance of Robert M. Watt, III  
 08/06/10 LG&E's Motion to Compel Discovery Responses from SEC  
 08/02/10 ProLiance Energy's Verification Page  
 07/30/10 IGS/SouthStar/Vectren's Responses to Duke Energy's First Data Request  
 07/30/10 IGS/SouthStar/Vectren's Responses to AARP's First Data Request  
 07/30/10 IGS/SouthStar/Vectren's Responses to Staff's First Data Request  
 07/30/10 IGS/SouthStar/Vectren's Motion to File Data Request Response Exhibits Out of Time  
 07/30/10 MXenergy's Responses to AARP's First Set of Discovery Requests  
 07/29/10 SEC's Responses to Duke Energy's Requests for Information  
 07/29/10 AARP's Response to Interstate Gas Supply and Southstar Energy, and Vectren Source's First Request for Information

07/29/10 CGK's Responses to Retail Energy's First Information Request  
 07/29/10 LG&E's Response to SEC's First Requests for Information dated 071510  
 07/29/10 CAC's Response to IGS, SouthStar and Vectren's First Information Requests  
 07/29/10 Atmos Energy's Responses to Stand Energy's Initial Data Requests  
 07/29/10 Delta's Responses to Stand Energy's First Request for Information  
 07/29/10 Duke Energy's Responses to Staff's First Data Request  
 07/29/10 CGK's Responses to IGS/SouthStar/Vectren's First Requests for Information  
 07/29/10 Atmos Energy's Response to Retail Energy's Initial Data Requests  
 07/29/10 Duke Energy's Responses to RESA's First Data Requests  
 07/29/10 IGS/SouthStar/Vectren's Responses to Duke Energy

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07/29/10 Duke Energy's Responses to SEC's First Data Requests  
07/29/10 RESA's Responses to ACM's 071410 Data Requests  
07/29/10 IGS/SouthStar/Vectren's Responses to AARP  
07/29/10 LG&E's Response to Staff's First Data Request of 071510  
07/29/10 Walmart's Petition to Intervene  
07/29/10 Delta's Responses to IGS, SouthStar and Vectren's Information Requests  
07/29/10 SEC's Responses to AARP's Requests for Information  
07/29/10 CGK's Responses to Staff's First Information Request  
07/29/10 IGS/SouthStar/Vectren's Motion to File Data Request Response Exhibits Out of Time  
07/29/10 Duke Energy's Responses to Vectren/IGS/SouthStar's First Data Requests  
07/29/10 Atmos Energy's Response to Staff's Initial Data Requests  
07/29/10 RESA's Responses to AARP's 071410 Data requests  
07/29/10 ProLiance Energy's Initial Response to AARP's Initial Data Requests  
07/29/10 Delta's Response to Staff's Information Request  
07/29/10 CGK's Responses to SEC's First Requests for Information  
07/29/10 LG&E's Response to IGS/SouthStar/Vectren Source's Request for Information dated 071510  
07/29/10 CGK's Responses to AARP's First Set of Requests  
07/29/10 IGS/SouthStar/Vectren's Responses to Staff  
07/29/10 CAC's Response to Staff's First Information Request  
07/29/10 Retail Energy's Response to Staff's 071410 Data Requests  
07/29/10 SEC's Responses to LG&E's Requests for Information  
07/29/10 Retail Energy's Response to Duke Energy's Data Requests  
07/29/10 Atmos Energy's Responses to IGS, SouthStar and Vectren's Initial Data Requests  
07/29/10 LG&E's Response to Retail Energy's Initial Data Request dated 071510  
07/29/10 CGK's Responses to ACM's First Request for Information  
07/29/10 SEC's Responses to Staff's Requests for Information  
07/29/10 Delta's Responses to Retail Energy Supply's Initial Data Request  
07/29/10 Walmart's Petition For Leave to File Out-of-Time  
07/29/10 Atmos Energy's Responses to AARP's Initial Data Requests  
07/28/10 ACM's Response to First Information Requests of IGS, SouthStar and Vectren  
07/15/10 Commission Staff's First Information Request to Interstate Gas Supply, Inc., Southstar Energy Services, LLC, and Vectren Retail, LLC dba Vectren Source  
07/15/10 Commission Staff's First Information Request to Stand Energy Corporation  
07/15/10 Commission Staff's First Information Request to Delta Natural Gas Company, Inc.  
07/15/10 Commission Staff's First Information Request to Community Action Council for Lexington-Fayette, Bourbon, Harrison and Nicholas Counties, Inc.  
07/15/10 Commission Staff's First Information Request to Retail Energy Supply Association  
07/15/10 Commission Staff's First Information Request to Duke Energy Kentucky, Inc.  
07/15/10 Commission Staff's First Information Request to Columbia Gas of Kentucky, Inc.  
07/15/10 Commission Staff's First Information Request to Louisville Gas and Electric Company  
07/15/10 Commission Staff's First Information Request to Atmos Energy Corporation  
07/15/10 AARP's First Set of Requests to MXenergy, ProLiance Energy, and Stand Energy  
07/15/10 SEC's First Requests for Information to LG&E  
07/15/10 IGS, SouthStar and Vectren's Data Requests to Columbia Gas  
07/15/10 RESA's Initial Data Request to Columbia Gas  
07/15/10 IGS, SouthStar and Vectren's Data Requests to Atmos Energy  
07/15/10 IGS, SouthStar and Vectren's Data Requests to Duke Energy  
07/15/10 SEC's First Requests for Information to Delta Natural Gas  
07/15/10 AARP's First Set of Requests to Interstate Gas Supply, Southstar Energy and Vectren Source  
07/15/10 Duke Energy's Requests for Information to IGS, SouthStar, and Vectren  
07/15/10 Duke Energy's Requests for Information to SEC  
07/15/10 RESA's Initial Data Request to LG&E  
07/15/10 RESA's Initial Data Request to Delta Gas  
07/15/10 IGS, SouthStar and Vectren's Data Requests to LG&E  
07/15/10 IGS, SouthStar, and Vectren's Data Requests to ACM  
07/15/10 SEC's First Requests for Information to Atmos Energy  
07/15/10 RESA's Initial Data Request to Atmos Energy  
07/15/10 SEC's First Requests for Information to Columbia Gas

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| 07/15/10 | IGS, SouthStar and Vectren's Data Requests to AARP   |
| 07/15/10 | AARP's First Set of Requests to Columbia Gas   |
| 07/15/10 | Duke Energy's Requests for Information to Retail Energy (RESA)   |
| 07/15/10 | AARP's First Set of Requests to Retail Energy Supply   |
| 07/15/10 | RESA's Initial Data Request to Duke Energy   |
| 07/15/10 | IGS, SouthStar and Vectren's Data Requests to CAC  |
| 07/15/10 | LG&E's Data Requests to SEC  |
| 07/15/10 | IGS, SouthStar, and Vectren's Data Requests to Delta Natural Gas   |
| 07/15/10 | SEC's First Requests for Information to Duke Energy  |
| 07/15/10 | AARP's First Set of Requests to Atmos Energy   |
| 07/14/10 | ACM's First Request for Information to Retail Energy Supply Association  |
| 07/14/10 | ACM's First Request for Information to Columbia Gas  |
| 06/28/10 | Stand Energy Motion for Leave to File  |
| 06/24/10 | CAC's Direct Testimony of Jack E. Burch  |
| 06/23/10 | Atmos Energy's Testimony of Mark A. Martin   |
| 06/23/10 | Atmos Energy's Motion for Leave to File Testimony Late (Original)  |
| 06/22/10 | Atmos Energy's Motion for Leave to File Testimony Late   |
| 06/21/10 | CGK's Testimony of Judy Cooper   |
| 06/21/10 | Marlon Cummings' Testimony   |
| 06/21/10 | Duke Energy's Direct Testimony of B. Mitchell Martin   |
| 06/21/10 | Stand Energy's Testimony of Mark Ward  |
| 06/21/10 | Interstate Gas Supply's Direct Testimony of Gregory Collins  |
| 06/21/10 | AARP's Direct Testimony of Nancy Brockway  |
| 06/21/10 | CAC's Motion for Enlargement of Time to File Direct Testimony  |
| 06/21/10 | Stand Energy's Testimony of John M. Dosker   |
| 06/21/10 | LG&E's Direct Testimony of J. Clay Murphy and Pamela L. Jaynes   |
| 06/21/10 | Stand Energy's Testimony of Donald L. Mason  |
| 06/21/10 | Retail Energy Supply's Direct Testimony of Teresa L. Ringenbach  |
| 06/21/10 | MXenergy's statement concerning Direct Testimony   |
| 06/21/10 | Delta Natural Gas Company's Direct Testimony of Glenn R. Jennings  |
| 06/17/10 | Letter to file response from staff of the Illinois Commerce Commission into the record   |
| 06/15/10 | Electronic mail responses from NARUC gas subcommittee members  |
| 06/11/10 | Order Entered: Michael T Griffith is admitted pro hav vice for the purpose of representing Proliance provided that Katherine Yunker, John Park or another member of the Kentucky Bar acts as co counsel and is present at any and all proceedings before the PSC   |
| 06/09/10 | Order Entered:<br>(1)The motions of ProLiance and RESA to intervene are granted and ProLiance and RESA shall accept the existing procedural schedule.<br>(2) ProLiance and RESA shall be entitled to the full rights of parties.<br>(3) Should ProLiance or RESA file documents of any kind with the Commission, ProLiance and RESA shall also serve a copy on all other parties of record.  |
| 06/09/10 | Order Entered:<br>(1) The motion of IGS, SouthStar and Vectren to intervene is granted and they shall accept the existing procedural schedule.<br>(2) IGS, SouthStar and Vectren shall be entitled to the full rights of parties.<br>(3) Should IGS, SouthStar or Vectren file documents of any kind with the Commission, they shall also serve a copy of said documents on all other parties of record.   |
| 06/09/10 | ProLiance Energy's Motion for Admission Pro Hoc Vice of Michael T. Griffiths   |
| 06/08/10 | Order Entered: 1. The procedural schedule set forth in the Appendix to this Order shall be followed. 2. All requests for information and responses thereto shall be appropriately indexed. All responses shall include the name of the witness who will be responsible for responding to the questions related to the information provided, with copies to all parties of record and ten copies to the Commission. 3. Service of any document or pleading shall be made in accordance with 807 KAR 5:001, Section 3(7). 4. All documents filed with the Commission shall also be served upon all parties of record at or before the time of filing. 5. All parties shall respond to any interrogatories and requests for production of documents that Commission Staff submits in accordance with the procedural schedule set forth in the appendix attached hereto and incorporated herein. 6. 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. 7. At any public hearing in this matter, neither opening statements nor summarization of direct testimony |

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shall be permitted.

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

06/07/10

Order Entered:

- (1) The motions of MX and ACM to intervene are granted.
- (2) MX and ACM shall be entitled to the full rights of parties and shall be served with the Commission's Orders and with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties after the date of this Order.
- (3) Should MX or ACM file documents of any kind with the Commission in the course of these proceedings, MX and ACM shall also serve a copy of said documents on all other parties of record.

06/01/10

Order Entered:

- (1) The Motion of AARP to intervene is granted.
- (2) AARP shall be entitled to the full rights of a party after the date of this Order.
- (3) Should AARP file documents of any kind with the Commission in the course of these proceedings, AARP shall also serve a copy of said documents on all other parties of record.

05/28/10

Proliance Energy's Motion for Full Intervention

05/28/10

Interstate Gas, South Star Energy, and Vectren Source's Motion to Intervene

05/28/10

MX Energy's Motion to Intervene

05/28/10

Retail Energy Suppliers Association's Motion for Full Intervention

05/25/10

AARP's Motion for Full Intervention

05/13/10

Order Entered: Brooke E. Leslie is admitted pro hac vice for the purpose of representing Columbia.

05/11/10

Order Entered:

- (1) The motions of Stand Energy and CAC to intervene are granted.
- (2) Stand Energy and CAC shall be entitled to the full rights of parties.
- (3) Should Stand Energy or CAC file documents of any kind with the Commission, Stand Energy and CAC shall also serve a copy of said documents on all other parties of record.

04/28/10

CAC's Motion for Full Intervention

04/27/10

Stand Energy's Motion for Full Intervention

04/27/10

CGK's Motion for Admission PRO HAC VICE of Brooke E. Leslie

04/19/10

Order Entered:

- (1) This matter is established as an investigation of natural gas retail competition programs to determine if benefits could be derived from these programs, and to determine whether natural gas retail competition programs could be crafted to benefit Kentucky consumers.
- (2) Each jurisdictional natural gas distribution utility with 15,000 or more customers in Kentucky is hereby made a party to this proceeding. Any jurisdictional natural gas distribution utility with less than 15,000 customers in Kentucky may seek to participate by filing a timely motion to intervene.
- (3) The parties shall appear for an informal conference on April 27, 2010 at 2:00 pm, local prevailing time at the Commission's office in Frankfort, KY.
- (4) Any requests to intervene in this proceeding shall be filed with the Commission on or before May 28, 2010.
- (5) At any hearing in this matter, neither opening statements nor summarization of direct testimony shall be permitted.
- (6) All documents that this Order requires to be filed with the Commission shall be served upon all other parties.
- (7) The Executive Director shall cause a copy of this Order to be sent to the AG, natural gas marketers that are currently operating in Kentucky pursuant to a tariff on file with the Commission, representatives from consumer groups, and representatives of all classes of customers that have in the past frequently intervened in proceedings of this nature.