

DOC11R

**Case Management System - KY Public Service Commission***Regular Cases Before the Commission as of April 16, 2024***2015-00367**

RECEIVED: 11/24/15

FILED: 11/24/15

FINAL: 06/13/17

REOPENED: 05/24/17

SUSPENSION DATE:

**CASE CODE**

Investigation - Rates

**UTILITIES:**

B &amp; H Gas Company

**INTERVENORS:****HEARINGS:**

12/05/16 Formal Hearing  
 11/21/16 Formal Hearing  
 01/14/16 Informal Conference

**INDEX OF EVENTS:**

06/13/17 Order Entered: 1. The Companies' motion for rehearing regarding the ordered refunds is denied. 2. The Companies' motion for rehearing regarding the rate charged to B&H by B&S is denied. 3. The AG's motion to set a procedural schedule is denied as moot.

06/08/17 AG Motion to Set a Rehearing Procedural Schedule

05/24/17 B and H Gas Co. and B and S Oil and Gas Co. Motion for Rehearing with Entry of Appearance

05/04/17 Final Order Entered: 1. On and after the date of this Order, the GCA component of B&H's rates shall be \$2.9885 per Mcf, reflecting an EGC of \$5.9885 per Mcf and an RA of \$3.0000 per Mcf. 2. B&H shall file quarterly GCA applications with the Commission, with the first filing made no later than September 1, 2017, for GCA rates effective October 1, 2017, using the format attached as Appendix A. 3. B&H's GCA application for rates effective October 1, 2017, shall include monthly sales volumes for December 2016 through March 2017 so that the refund amount owed to B&H's customers can be adjusted for actual sales volumes. 4. Each quarterly GCA application filed by B&H shall contain rates calculated as directed herein. 5. Within 20 days of the date of this Order, B&H shall file with this Commission, using the Commission's electronic Tariff Filing System, a quarterly Purchased Gas Adjustment Clause using the format attached as Appendix B. 6. Over-collections of \$101,876 shall be refunded to B&H's customers over 24 months through the GCA at an initial rate of \$3.0000 per Mcf, to be adjusted when actual sales volumes and over-collections from December 2016 through March 2017 are known. 7. B&S shall reduce the cost of gas sold to B&H to \$5.9885 per Mcf, effective for all gas sold on and after the date of this Order, with B&S's rate to be adjusted quarterly to conform to the GCA component of B&H's rates, as adjusted.

01/17/17 B&H Gas Company B&S Oil and Gas Company and Bud Rife responses to post hearing data requests

12/22/16 Order Entered: 1. The Companies' request for an extension of time is granted. 2. The Companies' responses to Staff's Post-Hearing Request shall be filed with the Commission on or before January 17, 2017.

12/20/16 B and H Gas Co. and B and S Oil Co. Motion for an Extension of Time to File Responses

12/08/16 Commission Staff Post-Hearing Data Request

12/08/16 Notice of Filing Hearing Documents

11/16/16 Order Entered: 1. The Companies' request to reschedule the November 21, 2016 evidentiary hearing in this matter is granted. 2. The Companies' request to opt out of the electronic transmission of Commission Orders and for service of Orders to be made by U.S. mail is denied. 3. The hearing previously scheduled for November 21, 2016, is rescheduled to December 5, 2016, beginning at 9:00 a.m., Eastern Standard Time. 4. All other provisions in the November 3, 2016 Order shall remain in full force and effect.

11/09/16 B and H Gas Co. Motion to Reschedule

11/03/16 Order Entered: 1. A hearing for the purpose of taking evidence and argument regarding the gas costs of B&H Gas Company, pursuant to KRS 278.2207, and the wholesale gas price charged by its affiliate, B&S Oil and Gas Company, pursuant to KRS 278.274, shall be held on Monday, November 21, 2016, beginning at 9:00 a.m., Eastern Standard Time, at the offices of the Public Service Commission, 211 Sower Boulevard, Frankfort, Kentucky. 2. This hearing will be streamed live and may be viewed on the PSC website, psc.ky.gov. 3. Pursuant to KRS 278.360 and 807 KAR 5:001, Section 9(9)(a), the record of the hearing in this matter shall be by digital video recording. 4. Any request to postpone this hearing shall be made by motion filed with the Commission at least one week before the hearing is scheduled

DOC11R

**Case Management System - KY Public Service Commission***Regular Cases Before the Commission as of April 16, 2024*

to commence.

10/31/16 B and H Gas Co. Supplemental Response to AG and PSC Order w/Letter Re: Accts.

10/20/16 Order Entered: 1. The Joint Respondents' motion requesting leave to late file their Response to the AG's Motion is granted. 2. The AG's motion requesting leave to late file his reply to the Joint Respondents' response to the AG's Motion is granted. 3. The AG's Motion for a more adequate and complete response to the AG's Initial Request, Item 6(f), concerning remuneration during the past five years from HSH to Mr. Rife and any individuals related to him by blood or marriage, is denied as having been answered. 4. The AG's Motion for a more adequate and complete response to the AG's Initial Request, Item 11, concerning copies of all documents setting forth the costs B&S incurs in obtaining gas for B&H, is granted. 5. The AG's Motion for an adequate and complete response to the AG's Initial Request, Item 21, concerning whether B&H is contemplating or plans to file bankruptcy, is denied. 6. The AG's Motion for an adequate and complete response to the AG's Initial Request, Item 22, concerning whether B&S is contemplating or plans to file bankruptcy, is denied. 7. The AG's Motion for an adequate and complete response to the AG's Supplemental Request, Item 2(c), concerning sums paid by JCG and HSH to Rife Construction, is denied. 8. The AG's Motion for an adequate and complete response to the AG's Supplemental Request, Item 3(b), concerning the amount of profit or loss of HSH, is denied.

08/02/16 AG Motion to File Late Response and Response

07/21/16 Motion to late file response to AG motion to compel

07/08/16 Attorney General Request for Evidentiary Hearing

07/05/16 AG motion to compel B&H and B&S responses to data requests

06/30/16 Order Entered: 1. B&H shall continue to collect the Gas Cost Adjustment ("GCA") component of its rates subject to refund. 2. B&H shall establish an interest-bearing escrow account in which to deposit all GCA revenues above \$4.84 per Mcf collected after the date of this Order. 3. GCA revenues collected pursuant to ordering paragraph 2 above shall remain in the interest-bearing account until further Order of the Commission. 4. A request for an evidentiary hearing or statement that a party does not desire a hearing shall be filed by July 8, 2016. 5. If no request for an evidentiary hearing is filed by July 8, 2016, any written comments shall be filed by July 20, 2016. 6. Nothing shall prevent the Commission from issuing further Orders in this matter.

06/15/16 B H Gas Co. and B S Oil and Gas Co. Joint Response to AG's Supplemental Request for Information

06/08/16 Order Entered: 1. The Companies' motion requesting an extension of time to file their responses to Staff's Second Request and the AG's Supplemental Request is granted. 2. The Companies shall file their responses to the AG's Supplemental Request by June 13, 2016.

06/06/16 B H Gas Co. and B S Oil and Gas Co. Joint Response to Second Request for Information

06/01/16 B H Gas Co. and B S Oil and Gas Co. Motion for Extension of Time

05/27/16 Order Entered: 1. Within seven days of the date of this Order, the Companies shall respond to the Staff's and AG's Supplemental Requests. 2. If responses are not received with seven days of the date of this Order, a show cause proceeding will be initiated to determine whether there are any reasons why penalties should not be imposed upon the Companies pursuant to KRS 278.990 for their failure to comply with this Order.

04/29/16 Commission Staff's Second Request for Information to B&H Gas Company and B&S Oil and Gas Company

04/29/16 AG Supplemental Data Request

04/20/16 B H Gas Co. and B S Oil and Gas Co. Supplement to the Joint Response to AG Request for Information

04/18/16 B H Gas Co. and B S Oil and Gas Co. Joint Response to AG Request for Information

04/13/16 Order Entered: 1. The Companies' request to hold this case in abeyance is denied. 2. The procedural schedule appended hereto shall be followed for the remainder of this proceeding.

04/13/16 B H Gas Co. and B S Oil and Gas Co. Joint Notice of Filing Status

04/04/16 B H Gas Co. and B S Oil and Gas Co. Response to AG Motion

03/18/16 B&H Gas Co. and B&S Oil and Gas Co. Joint Response to Request for Information

03/17/16 AG Motion to Set Procedural Schedule

03/08/16 Order Entered: 1. Within ten days of the date of this Order, the Companies shall respond to Staff's First Request issued on February 10, 2016. 2. If responses are not received within ten days of the date of this Order, a show cause proceeding will be initiated to determine whether there are any reasons why penalties should not be imposed pursuant to KRS 278.990 for the failure to file responses.

**Case Management System - KY Public Service Commission***Regular Cases Before the Commission as of April 16, 2024*

03/07/16	AG Request for Information
02/24/16	AG Response to Motion to Hold in Abeyance
02/19/16	Order Entered: 1. The motion of the Attorney General to intervene is granted. 2. The Attorney General shall be entitled to the full rights of a party 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. The Attorney General shall comply with all provisions of the Commission's regulation, 807 KAR 5:001 , Section 7, related to the service and filing of documents 4. Within seven days of entry of this Order, the Attorney General shall provide his electronic mail address to which all electronic documents issued by the Commission and other parties of record may be served upon the Attorney General in accordance with 807 KAR 5:001, Section 4(8)(b).
02/15/16	AG Motion to Intervene
02/10/16	Commission Staff's First Request for Information to B&H Gas Company and B&S Oil and Gas Company
01/29/16	B & H Gas Co. and B & S Gas Co. Joint Motion to Hold Matter in Abeyance
01/21/16	Memorandum dated 1/20/2016 for Informal Conference of 1/14/2016; Comments, if any, due within five days of receipt
01/06/16	Commission Staff's Notice of Informal Conference
12/14/15	B&H Gas Co. and B&S Oil and Gas Co. Joint Motion for IC
12/14/15	B&H Gas Co. and B&S Oil and Gas Co. Joint Response to Request for Information
11/24/15	Order Entered: 1. This investigation is opened to provide B&H and B&S an opportunity to present evidence to demonstrate that: (a) the cost of gas sold to B&H by its affiliate B&S is no greater than market as required by KRS 278.2207(1)(b); and (b) the GCA component of B&H's rates and the rates charged by B&S to B&H are just and reasonable as required by KRS 278.274 for natural gas purchased by a utility from an intrastate affiliate; and to provide (c) any reason why the GCA component of B&H's rates should not be reduced to market, along with a corresponding reduction to the cost of gas sold by B&S to B&H under KRS 278.274. 2. B&H and B&S shall be parties to this case. 3. B&H shall collect the GCA component of its rates subject to refund effective for bills rendered after the date of this Order until further Commission Order. 4. B&H and B&S shall individually or jointly file, within 20 days of the date of this Order, responses to the requests for information attached hereto as Appendix A and any other information relevant to B&H's cost of gas purchases from B&S. a. Responses to requests for information shall be appropriately bound, tabbed and indexed and shall include the name of the witness responsible for responding to the questions related to the information provided, with copies to all parties of record, and the original and six copies to the Commission.

---

Total Number of Cases: 1