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**Case Management System - KY Public Service Commission***Regular Cases Before the Commission as of July 26, 2024***2021-00386**

RECEIVED: 09/30/21

FILED: 09/30/21

FINAL: 03/28/23

REOPENED: 04/07/23

SUSPENSION DATE:

**CASE CODE**

Tariffs

**UTILITIES:**

Columbia Gas of Kentucky, Inc.

**HEARINGS:**

08/28/24\* Informal Conference  
 07/26/23 Formal Hearing  
 07/05/23 Formal Hearing  
 09/29/22 Formal Hearing  
 06/14/22 Formal Hearing

**INDEX OF EVENTS:**

07/25/24 Dennis G. Howard II XOOM Energy Kentucky, LLC, Interstate Gas Supply, Inc. d/b/a IGS Energy and Constellation New Energy Gas Division, LLC Response of XOOM Energy Kentucky, LLC, Interstate Gas Supply, Inc. d/b/a IGS Energy and Constellation New Energy Gas Division, LLC to Columbia Gas of Kentucky, Inc.'s Motion for Rehearing

07/18/24 L. Allyson Honaker Columbia Gas of Kentucky, Inc. Motion for Rehearing

06/28/24 Order Entered: 1. Columbia Kentucky's request to terminate the CHOICE program is denied. 2. Columbia Kentucky shall continue the CHOICE program until March 31, 2028. 3. Working groups as outlined in the Settlement Agreement and Addendum as modified in this Order shall be created and the parties to this matter, and all other interested marketers, shall participate in informal conferences facilitated by Commission Staff. 4. The first informal conference shall take place on August 28, 2024 at 9 am Eastern Daylight Time at 211 Sower Blvd., Frankfort, Ky 40601. 5. The agenda as discussed in the Order is attached as an Appendix. 6.. Columbia Kentucky shall track both the costs and the revenues, including the specific information discussed in the Order, associated with the CHOICE program. 7. Columbia Kentucky shall file the financial information, as ordered in ordering paragraph 6, for the period beginning from the date of service of this Order until December 31, 2024, by March 1, 2025. 8. Columbia Kentucky shall file the financial information as ordered in ordering paragraph 6 by March 1 for every calendar year following until such time as the Commission issues an Order relieving them of that responsibility.

11/03/23 L. Allyson Honaker Columbia Gas of Kentucky, Inc. Reply Brief

10/18/23 Matthew R. Malone Interstate Gas Supply, Inc., Constellation New Energy Gas Division, LLC and Xoom Energy Kentucky, LLC Post-Hearing Brief of Xoom Energy Kentucky, LLC, Interstate Gas Supply, Inc. d/b/a IGS Energy and Constellation New Energy Gas Division, LLC

10/02/23 Matthew Malone Interstate Gas Supply, Inc and Constellation New Energy - Gas Division, LLC Notice of Withdraw of Counsel for XOOM

09/29/23 L. Allyson Honaker Columbia Gas of Kentucky, Inc. Post-Hearing Brief

09/13/23 PSC Notice of Filing Hearing Documents

08/23/23 Judy Cooper Supplemental Response to Commissions Post-Hearing Data Request

08/18/23 L. Allyson Honaker Columbia Gas of Kentucky, Inc. Responses to Post-Hearing Data Requests

08/18/23 Matthew R. Malone Interstate Gas Supply, Inc., Constellation New Energy - Gas Division, LLC Response of Interstate Gas Supply, Inc. and Constellation New Energy, Gas Division, LLC to the Commission Staffs Post-Hearing Request for Information Dated July 28, 2023

08/18/23 Kathleen E Grogan XOOM Energy Kentucky, LLC Responses to Staffs Post-Hearing Data Requests

08/03/23 COMMISSION STAFF'S SECOND POST-HEARING REQUEST FOR INFORMATION TO COLUMBIA GAS OF KENTUCKY, INC.

07/31/23 Matthew Malone Interstate Gas Supply, Inc and Constellation New Energy - Gas Division, LLC Post Hearing DR

07/31/23 COMMISSION STAFF'S POST-HEARING REQUEST FOR INFORMATION TO COLUMBIA GAS OF KENTUCKY, INC.

07/28/23 COMMISSION STAFF'S POST-HEARING REQUEST FOR INFORMATION TO XOOM ENERGY KENTUCKY, LLC

07/28/23 COMMISSION STAFF'S POST-HEARING REQUEST FOR INFORMATION TO INTERSTATE GAS SUPPLY AND CONSTELLATION NEW ENERGY, GAS DIVISION, LLC

## Case Management System - KY Public Service Commission

*Regular Cases Before the Commission as of July 26, 2024*

- 07/28/23 Order Entered: 1. Post-hearing requests for information, if any, shall be filed on or before August 4, 2023. 2. Responses to post-hearing requests for information shall be filed on or before August 18, 2023. 3. Counsel for Columbia Gas of Kentucky, Inc. (Columbia Kentucky) shall file a memorandum brief in support of Columbia Kentucky's post-hearing position on or before September 29, 2023. 4. Counsel for Interstate Gas Supply and Constellation New Energy, Gas Division, LLC (collectively, Joint Intervenors); and XOOM Energy Kentucky, LLC (XOOM) shall file their respective briefs in response to Columbia Kentucky's memorandum brief on or before October 18, 2023. 5. Counsel for Columbia Kentucky shall file a brief in reply to Joint Intervenors' and XOOM's respective response briefs on or before November 3, 2023. 6. This case shall stand submitted for a decision by the Commission effective 12:01 a.m. Eastern Daylight Time, November 4, 2023.
- 07/25/23 L. Allyson Honaker Columbia Gas of Kentucky, Inc. Proof of Publication of Hearing Notice
- 07/24/23 L. Allyson Honaker Columbia Gas of Kentucky, Inc. Motion for Deviation
- 07/20/23 L. Allyson Honaker Columbia Gas of Kentucky, Inc. Request for Hearing Notice Publication
- 07/20/23 Dennis G. Howard II Xoom Energy Kentucky, LLC Notice of Substitution of Counsel
- 07/19/23 John R Ryan Columbia Gas of Kentucky Columbia Gas of Kentucky's Response to Commission Staffs Third Request for Information
- 07/10/23 Order Entered: 1. At the hearing in this matter to be held on July 26, 2023, at 9 a.m. Eastern Daylight Time and continuing until called from the bench by the presiding officer, Columbia Gas of Kentucky, Inc. (Columbia Kentucky) shall present to the Commission a demonstration of its website that will thoroughly illustrate: a. How a CHOICE and a non-CHOICE customer access paperless billing and locate information concerning the price each is paying for natural gas and who is providing the natural gas. b. The tools and information on Columbia Kentucky's website available to customers interested in enrolling in the CHOICE program. c. The steps a customer must use to access CHOICE marketer pricing information and how the customer would calculate example bills to compare Columbia Kentucky's commodity sales rates to marketer rates. 2. Parties shall have the opportunity to present direct testimony concerning their position in this matter. 3. Witnesses who sponsor schedules, testimony, or responses to requests for information shall participate in person at the July 26, 2023 hearing. 4. Columbia Kentucky shall give notice of the hearing in compliance with 807 KAR 5:001, Section 9(2)(b).
- 07/07/23 COMMISSION STAFF'S THIRD REQUEST FOR INFORMATION TO COLUMBIA GAS OF KENTUCKY, INC.
- 05/25/23 Order Entered: 1. A hearing in this matter shall be held on July 26, 2023, at 9 a.m. Eastern Daylight Time, in the Richard Raff Hearing Room at the offices of the Public Service Commission at 211 Sower Boulevard, Frankfort, Kentucky. 2. Pursuant to 807 KAR 5:001E, 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. 3. Witnesses who sponsor schedules, testimony, or responses to requests for information shall participate in person at any hearing scheduled in this matter. 4. Columbia Gas of Kentucky, Inc. (Columbia Kentucky) shall give notice of the hearing in compliance with 807 KAR 5:001E, Section 9(2)(b).
- 05/15/23 Order Entered: 1. A hearing in this matter shall be held on July 5, 2023, at 9 a.m. Eastern Daylight 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. 2. Pursuant to 807 KAR 5:001E, 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. 3. Witnesses who sponsor schedules, testimony, or responses to requests for information shall participate in person at the July 5, 2023 hearing. 4. Columbia Gas of Kentucky, Inc. (Columbia Kentucky) shall give notice of the hearing in compliance with 807 KAR 5:001E, 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 on the PSC website, [psc.ky.gov](http://psc.ky.gov)" and "Public comments may be made at the beginning of the hearing.
- 04/27/23 Order Entered: 1. Columbia Kentucky's motion to re-open this proceeding is granted. 2. The Commission shall set a hearing date by separate Order. 3. Columbia Kentucky's motion to withdraw its September 30, 2021 tariff filing is denied. 4. Columbia Kentucky's motion to temporarily extend the CHOICE program until July 31, 2024, is denied. 5. Columbia Kentucky's CHOICE program remains extended under its current terms and conditions until the final Order in this proceeding.

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**Case Management System - KY Public Service Commission***Regular Cases Before the Commission as of July 26, 2024*

04/19/23 Judy Cooper Columbia Gas of Kentucky, Inc. Reply to Joint Intervenor Response  
04/14/23 Matthew R. Malone Interstate Gas Supply, Inc., Constellation New Energy - Gas Division, LLC and Xoom Energy Kentucky, LLC Response to Columbia Gas of Kentucky, Inc.'s Motion to Reopen the above-case on behalf of Interstate Gas Supply, Inc., Constellation New Energy - Gas Division, LLC, and Xoom Energy of Kentucky, LLC

04/07/23 Judy Cooper Columbia Gas of Kentucky, Inc. Response to Final Order and Motions  
03/28/23 Final Order Entered: 1. Columbia Kentucky's motion for leave to file testimony in support of the Settlement is granted. 2. The testimony of Judy Cooper filed September 27, 2022, is admitted into the record of this proceeding. 3. The testimony of Travis Kavulla filed September 28, 2022, is admitted into the record of this proceeding. 4. The Settlement and the Addendum, attached to this Order as Appendix A and Appendix B respectively, are accepted with the modifications as set forth in this Order. 5. Columbia Kentucky shall continue to file CHOICE program annual reports on or before June 1?? of each year; these reports shall be filed into the post-case correspondence file of this proceeding. 6. This case is closed and removed from the Commission's docket.

12/07/22 John Ryan Columbia Gas of Kentucky Affidavits of Counsel in Support of Settlement Agreement/Addendum

12/06/22 Pierce Stevenson Xoom Energy Kentucky, LLC Affidavits of Counsel in Support of Settlement Agreement/Addendum

12/05/22 Matthew Malone Interstate Gas Supply, Inc and Constellation New Energy - Gas Division, LLC Affidavit of Counsel in Support of Settlement Agreement/Addendum

11/08/22 L. Allyson Honaker Columbia Gas of Kentucky, Inc. Addendum to Joint Stipulation and Settlement Agreement

11/03/22 Notice of Filing Hearing Documents  
10/25/22 Pierce Stevenson Xoom Energy Kentucky, LLC Witness Verification  
10/21/22 John Ryan Columbia Gas of Kentucky Columbias Response to Commission Staffs Post-Hearing Request for Information

10/21/22 Pierce Stevenson Xoom Energy Kentucky, LLC Response to Commission Staff Post Hearing Request for Information

10/21/22 Matthew Malone Interstate Gas Supply, Inc and Constellation New Energy - Gas Division, LLC Responses to Staff Post-Hearing Data Requests

10/05/22 Pierce Stevenson Interstate Gas Supply; Constellation New Energy, Gas Division; and Xoom Energy Kentucky Joint Intervenors Submission of Revised Testimony and Exhibits of J Crist

10/04/22 COMMISSION STAFF'S POST-HEARING REQUEST FOR INFORMATION TO XOOM ENERGY KENTUCKY, LLC

10/04/22 COMMISSION STAFF'S POST-HEARING REQUEST FOR INFORMATION TO INTERSTATE GAS SUPPLY, INC.

10/04/22 COMMISSION STAFF'S POST-HEARING REQUEST FOR INFORMATION TO CONSTELLATION NEW ENERGY, GAS DIVISION, LLC

10/04/22 COMMISSION STAFF'S POST-HEARING REQUEST FOR INFORMATION TO COLUMBIA GAS OF KENTUCKY, INC

10/04/22 Order Entered: 1. Post-hearing data requests, if any, shall be filed on or before October 7, 2022. 2. Responses to post-hearing data requests shall be filed on or before October 21, 2022.

09/28/22 L. Allyson Honaker Columbia Gas of Kentucky, Inc. Proof of Publication and Mailing of Hearing Notice  
09/28/22 Matthew Malone Interstate Gas Supply, Inc and Constellation New Energy - Gas Division, LLC Letter addressing testimony in support

09/28/22 Gregory T. Dutton Xoom Energy Kentucky Testimony in support of settlement  
09/27/22 Judy Cooper Supplemental Testimony in Support of Stipulation  
09/27/22 Judy Cooper copy of request to publish notice of hearing  
09/26/22 Pierce Stevenson Xoom Energy Kentucky, LLC Notice of Filing Revised Direct Testimony of Travis Kavulla

09/22/22 John Ryan Columbia Gas of Kentucky Joint Stipulation and Settlement Agreement  
08/26/22 Order Entered: 1. The case record of Case No. 2020-00402 is incorporated by reference into the case record of Case No. 2021-00386.  
2. Case No. 2020-00402 is closed and removed from the Commission's docket.

07/29/22 L. Allyson Honaker Columbia Gas of Kentucky, Inc. Notice of Substitution of Counsel  
06/14/22 Order Entered nunc pro tunc, that: 1. All references to June 15, 2022 are stricken and are replaced with June 14, 2022. 2. All other provisions of the Commission's June 10, 2022 Order that are not in conflict with the terms of this Order shall remain in effect.

**Case Management System - KY Public Service Commission***Regular Cases Before the Commission as of July 26, 2024*

06/10/22 Order Entered: 1. XOOM's motion is granted. 2. The hearing scheduled for June 15, 2022, at 9 a.m. Eastern Daylight Time, in the Richard Raff Hearing Room of the Commission's offices at 211 Sower Boulevard in Frankfort, Kentucky is canceled. 3. A hearing in this matter shall be held on September 29, 2022, at 9 a.m. Eastern Daylight Time, in the Richard Raff Hearing Room at the offices of the Public Service Commission. 4. Columbia Kentucky 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 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 the notice is mailed, or publication is requested, Columbia Kentucky shall forward a duplicate of the notice and request to the Commission 5. The September 29, 2022 hearing shall be recorded by digital video recording only.

06/03/22 Pierce Stevenson Xoom Energy Kentucky, LLC Motion for Continuance of Hearing and for Expedited Consideration

06/03/22 Pierce Stevenson Xoom Energy Kentucky, LLC Witness List

06/03/22 John Ryan Columbia Gas of Kentucky Witness List of Columbia Gas of Kentucky, Inc.

06/03/22 Matthew Malone Interstate Gas Supply, Inc and Constellation New Energy - Gas Division, LLC Witness List

06/03/22 Judy Cooper Report required in Ordering paragraph 6 of 12/7/2021 Order

05/20/22 Order Entered: 1. Joint Movants' motion for confidential treatment is granted. 2. The designated material granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for five years or until further Order of this Commission. 3. Use of the designated material granted confidential treatment by this Order in any Commission proceeding shall comply with 807 KAR 5:001, Section 13(9). 4. Joint Movants shall inform the Commission if the designated material granted confidential treatment by this Order becomes publicly available or no longer qualifies for confidential treatment.

05/13/22 Order Entered: 1. A hearing in this matter shall be held on June 14, 2022, at 9 a.m. Eastern Daylight Time, in the Richard Raff Hearing Room at the offices of the Public Service Commission at 211 Sower Boulevard, Frankfort, Kentucky. 2. Parties shall file a witness list on or before June 3, 2022. 3. Columbia Gas of Kentucky, Inc. (Columbia Kentucky) 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 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 the notice is mailed or publication is requested, Columbia Kentucky shall forward a duplicate of the notice and request to the Commission. 4. Pursuant to KRS 278.360 and 807 KAR 5:001, Section 9(9), a digital video transcript shall be made of the hearing.

05/06/22 Gregory T. Dutton Xoom Energy Kentucky Request for Hearing

05/06/22 Matthew R. Malone IGS and Constellation New Energy - Gas Division Request for Public Hearing

05/06/22 John Ryan Columbia Gas of Kentucky Motion for a Decision on the Record

04/29/22 John Ryan Columbia Gas of Kentucky Rebuttal Testimony of Judy Cooper on Behalf of Columbia Gas of Kentucky

04/18/22 Gregory T. Dutton Joint Intervenors Joint Intervenors Response to Commissions First Request for Information

04/18/22 Gregory T. Dutton Xoom Energy Kentucky Response to Commissions First Request for Information

04/04/22 Letter Regarding Chairman Chandler Participation

03/31/22 COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO XOOM ENERGY KENTUCKY, LLC

03/31/22 COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO INTERSTATE GAS SUPPLY, INC., CONSTELLATION NEW ENERGY GAS DIVISION, LLC, AND XOOM ENERGY KENTUCKY, LLC

03/25/22 Gregory T. Dutton CNEG, IGS, and Xoom Direct Testimony of Jim Crist on behalf of Interstate Gas Supply; Constellation New Energy, Gas Division; and Xoom Energy Kentucky.

03/25/22 Gregory T. Dutton Xoom Energy Kentucky, LLC Testimony of Travis Kavulla.

03/23/22 John Ryan Columbia Gas of Kentucky Verification for Columbia Gas of Kentucky, Inc.'s Response to Xoom's Second Set of Interrogatories and Requests for Information

03/18/22 John Ryan Columbia Gas of Kentucky Columbia Gas of Kentucky's Response to XOOMs Second Set of Requests for Information

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**Case Management System - KY Public Service Commission***Regular Cases Before the Commission as of July 26, 2024*

03/17/22 Order Entered: 1. The February 28, 2022 joint motion by XOOM, IGS, and CNEG is granted. 2. The CHOICE program is extended under its current terms and conditions until a final Order is entered in this proceeding.

03/07/22 John Ryan Columbia Gas of Kentucky Response to the Joint Motion for Interim Authority and for Expedited Consideration

03/04/22 Gregory Dutton Xoom Energy Kentucky, LLC Second Request for Information to CKY

02/28/22 Gregory Dutton Xoom Energy Kentucky, LLC Joint Motion for Interim Authority

02/19/22 Judy Cooper Verifications to data responses

02/19/22 Judy Cooper Resume filing of data responses to Xoom

02/19/22 Judy Cooper Responses to Xoom First Request for Information

02/18/22 Judy Cooper Responses to Staffs Second Request for Information

02/04/22 Gregory Dutton Xoom Energy Kentucky, LLC Initial Request for Information from Columbia Gas

02/03/22 COMMISSION STAFF'S SECOND REQUEST FOR INFORMATION TO COLUMBIA GAS OF KENTUCKY, INC.

01/31/22 Gregory Dutton Xoom Energy Kentucky, LLC Response to Commissions Order.

01/28/22 Order Entered: Mr. Greene and Ms. Howell are admitted pro hac vice for the purpose of representing XOOM in association with Mr. Dutton in the above-styled proceeding, providing that Mr. Dutton, or another member of the Kentucky Bar association acts as co-counsel and is present at any and all proceedings before this Commission.

01/25/22 Order Entered: 1. The motion of XOOM to intervene is granted. 2. XOOM 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. XOOM shall comply with all provisions of the Commission's regulations, 807 KAR 5:001, Section 8, related to the service and electronic filing of documents. 4. XOOM shall adhere to the procedural schedule set forth in the Commission's December 7, 2021 Order and as amended by subsequent Orders.

01/18/22 Matthew Malone Interstate Gas Supply, Inc and Constellation New Energy - Gas Division, LLC Written Response to Commissions Order of January 13, 2022

01/18/22 John Ryan Columbia Gas of Kentucky Prepared Direct Testimony of Judy M. Cooper on behalf of Columbia Gas of Kentucky

01/14/22 Gregory Dutton Xoom Energy Kentucky, LLC Motion to Admit Pro Hac Vice

01/14/22 Gregory Dutton Xoom Energy Kentucky, LLC Motion to Intervene

01/13/22 Order Entered: 1. The motion of IGS and CNEG to intervene is granted. 2. IGS and CNEG 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. IGS and CNEG shall comply with all provisions of the Commission's regulations, 807 KAR 5:001, Section 8, related to the service and electronic filing of documents.

01/07/22 Matthew Malone Interstate Gas Supply, Inc and Constellation New Energy - Gas Division, LLC Amended Motion to Intervene

12/07/21 Order Entered: 1. The October 18, 2021 procedural schedule is void. 2. Columbia Kentucky shall serve a copy of its tariff filing, the October 18, 2021 Order, and this Order on all approved CHOICE program marketers by December 31, 2021. 3. The procedural schedule set forth in the Appendix to this Order shall be followed.

11/11/21 John Ryan Columbia Gas of Kentucky Columbias Responses to Commission Staffs First Set of Requests for Information

11/11/21 Matthew Malone Interstate Gas Supply, Inc and Constellation New Energy - Gas Division, LLC Motion to Intervene

11/03/21 COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO COLUMBIA GAS OF KENTUCKY, INC.

10/25/21 David S. Samford Columbia Gas of Kentucky, Inc. Entry of Appearance of Counsel

10/18/21 Order Entered: 1. This proceeding is established to investigate the reasonableness of the proposed tariffs. 2. Columbia Kentucky shall, by counsel, enter an appearance in this proceeding within seven days of the date of entry of this Order. The entry of appearance shall include the name, address, telephone number, fax number, and electronic mail address of counsel. 3. Unless otherwise ordered by the Commission, the procedures set forth in 807 KAR 5:001, Section 8, related to service and electronic filing of papers shall be followed in this proceeding.

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09/30/21 Columbia Gas of Kentucky, Inc. Tariff Filing

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Total Number of Cases: 1