COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

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In The Matter of:

APPLICATION OF COLUMBIA GAS OF KENTUCKY, INC. FOR AN ADJUSTMENT IN RATES

CASE NO. 2016-00162

MOTION OF STAND ENERGY CORPORATION TO INTERVENE

Stand Energy Corporation ("Stand Energy"), by and through the undersigned counsel, moves the Kentucky Public Service Commission to intervene in this General Rate Case filed by Columbia Gas of Kentucky. The legal authority for this motion is KRS 278.310 and 807 KAR 5:001 §4(11) and §3(8) as discussed in the attached and incorporated Memorandum In Support of this Motion.

RESPECTFULLY SUBMITTED STAND ENERGY CORPORATION,

By:

JOHN M. DOSKER (KBA #82089) It's GENERAL COUNSEL Stand Energy Corporation 1077 Celestial Street, Suite #110 Cincinnati, OH 45202-1629 (Phone) (513) 621-1113 (Fax) (513) 621-3773 jdosker@stand-energy.com

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MEMORANDUM SUPPORTING MOTION OF STAND ENERGY CORPORATION TO INTERVENE

Stand Energy Corporation ("Stand Energy"), submits the following memorandum in support of its Motion to Intervene.

Neither the Kentucky Attorney General's Office of Rate Intervention nor any other party can adequately represent or protect the interests of Stand Energy because no other party besides the Applicant has any knowledge of the Columbia gas transportation rules or the Columbia Choice program rules and how those various transportation and Choice rules affect suppliers like Stand Energy and Stand Energy's Kentucky customers in the Columbia Gas Territory.

As a result of our unique and extensive knowledge of the Columbia Gas system and the Columbia Gas Transportation and Columbia Choice rules, Stand Energy's participation in this case will lead to the presentation of relevant facts and issues that will assist the Kentucky Public Service Commission in its consideration of the matters raised in the application without unduly complicating, disrupting or delaying the proceedings. In support of the foregoing motion, Stand Energy further states as follows: 1. Stand Energy is a Kentucky corporation and private gas supplier with offices located at 1077 Celestial Street, Rookwood Building 3, Suite 110, Cincinnati, Ohio 45202-1629. The undersigned General Counsel has been licensed to practice law in Kentucky since 1987 and is a former member of the Executive Committee of the North American Energy Standards Board (NAESB), Gas Supplier Segment. Stand Energy has thirty-two years of experience in regulatory proceedings.

2. Stand Energy is engaged in the marketing of natural gas to a unique blend of public and private customers in numerous states (including Kentucky), with experience delivering natural gas behind more than fifty (50) separate and distinct local distribution companies (including, but not limited to Columbia Gas of Kentucky, Columbia Gas of Ohio, Columbia Gas of Virginia, Columbia Gas of Pennsylvania and Columbia Gas of Maryland). No other party to this case has as much experience with other regulated natural gas utility companies generally or with the other four (4) Columbia Operating Companies in Ohio, Virginia, Maryland and Pennsylvania specifically. Stand Energy brings all that knowledge and experience to this case without any conflict of interest caused by any relationship with the regulated utility.

3. The Kentucky Public Service Commission made the following finding of fact as part of the Final Order issued in Case No. 2010-00146, *An Investigation of Natural Gas Retail*

Competition Programs:

"... As for expanded transportation services to commercial and industrial consumers, and governmental and other public entities that do not currently qualify for existing transportation services, the Commission finds it appropriate to encourage Atmos, Delta, Duke Kentucky, and LG&E to evaluate their existing transportation tariffs within the context of the operation of their distribution systems and the maintenance of system integrity. The EIA data on marketer and LDC prices for commercial customers, contrary to the data on prices for residential customers, reflects that the average marketer price was lower than the

average LDC price in the majority [sic¹] of states. See Appendix C. Therefore, the Commission will review the reasonableness of the existing transportation tariffs of each of the above-named LDC's and any proposed changes in rate design and product and service availability in their next individual general rate proceeding. While the Commission does not advocate mandating or legislating volumetric thresholds for gas transportation service, as we believe the LDCs are best equipped to propose and implement their own systems' products and programs, we are committed to ensuring the reasonableness of transportation tariffs by reviewing them in the LDC's next rate cases." Order p. 16.

4. Columbia Gas of Kentucky, Inc. was omitted from the above-quoted section of the 2010 Public Service Commission Case Order by inadvertence or mistake. Although Columbia Gas of Kentucky allows customers of every size (Residential, Commercial and Industrial) to purchase their natural gas from a supplier, the Columbia gas Choice and Transportation programs could be vastly improved and Columbia Gas of Kentucky has not been excused from the scrutiny, requested by the Kentucky Legislature and ordered by the Commission, to review transportation thresholds in subsequent general rate cases with the goal of improving competition and services for transportation customers.

For example, the <u>Columbia Choice program</u> (for Residential and Small Commercial Customers) requires gas suppliers to accept the contractual "assignment" of expensive interstate pipeline capacity on four different pipelines. (Columbia Gas Transmission, Columbia Gulf Transmission, Tennessee Gas Pipeline and Central KY Transmission). This "slice of the system" methodology was developed to benefit Columbia Gas and the Choice marketers whose business model often does not include acquiring interstate pipeline capacity required to serve their Choice customers. Unfortunately, 2 of the 4 pipelines, Tennessee Gas Pipeline and Columbia Gulf Transmission, are long-haul pipelines to the Gulf of Mexico. (Central Kentucky

¹Exhibit C, EIA Table 24 from 2007 Commercial, compares Marketer gas pricing to LDC gas pricing in nine states (D.C., FL, GA, MD, MI, NY, OH, PA and VA). In only one state, Georgia, was the LDC price of gas lower than the Marketer price of gas. So in fact, the federal government data showed eighty-eight percent (1/9 = 88%) of transportation customers surveyed in 9 states experienced a lower price of gas with a marketer vs. the LDC.

Transmission is a Kentucky intrastate gas pipeline and Columbia Gas Transmission is a regional interstate pipeline). In terms of "reliability" pipelines from the Gulf of Mexico are subject to periodic Hurricanes and other unplanned *force majeure* declarations and service interruptions. Furthermore, the regional interstate pipeline and one (1) of the long-haul pipelines <u>are owned by another subsidiary of Columbia, the Columbia Pipeline Group</u>. The Columbia Choice program therefore partially subsidizes the Columbia-owned pipelines. The Columbia Choice program would be much better for suppliers and customers if the mandatory assignment of long-haul capacity from the Gulf of Mexico or any assignment of interstate capacity was <u>not</u> a required component of the program. Stand Energy and most other gas suppliers can deliver their customer's gas to the citygate of Columbia Gas of Kentucky (or any other utility) much more inexpensively with the supplier's own interstate and intrastate pipeline capacity. The Columbia Gas Choice program would be vastly improved by the removal of the assignment of capacity requirement and its burdensome costs which are ultimately passed through to Choice customers.

Furthermore, the gas supply required by Columbia Gas of Kentucky to serve its sales customers is based, at least in part, upon Columbia Gas of Kentucky's inter-relationship with the other Columbia Operating Companies and the Columbia Pipelines. Columbia utilizes centralized purchasing out of its Columbus, Ohio Corporate Offices. But, the gas supply required by Columbia Gas to serve its sales customers is NOT the same gas supply required by a gas supplier serving a much smaller number of customers with or without a mixture of customer classifications on the Columbia system. The most efficient means of delivering gas from point A to point B should be a requirement when requiring gas suppliers to purchase pipeline capacity from the LDC. 5. Attached hereto and incorporated herein as if fully set forth as Stand Energy Exhibit 1 to the Motion and Memorandum is ten (10) pages of information released by the U.S. Energy Information Administration (EIA) on May 31, 2016 on average commercial gas prices by LDC's vs. Marketers in the following states and D.C.: D.C., FL, GA, MD, MI, NY, OH, PA, VA.

The year with the most complete data from all the listed states is 2010. Additional years of data are provided for Georgia and New York and Ohio. For 2010, the only states with a higher average gas price being charged by the gas marketers vs. LDC's were Georgia and New York. (New York and Ohio then had a lower average marketer prices vs. LDC average prices in the years 2011, 2012, 2013 and 2014). According to this data from the U.S. Government for 2010, seven out of nine (7/9 = 77%) of states surveyed had a lower marketer average price of gas vs. the average LDC price of gas for commercial customers which includes industrial customers. This data supports Stand Energy's argument that the 25,000 annual usage threshold to qualify to transport gas on the Columbia Gas of Kentucky system should be lowered to allow more commercial customers to take advantage of lower gas commodity prices to transport customer owned gas.

Columbia Gas of Kentucky will likely argue that all its customers can already choose a "Choice" supplier. While that may be true, if CHOICE is the only available option to Columbia Sales service, CHOICE is not the BEST option for larger customers. <u>Transportation is the best</u> option for larger commercial and industrial customers. If the Commission accepts the fact that Columbia Gas of Kentucky charges customers for the delivery of whatever gas supply is chosen by the Customer and further assumes that Columbia is not going to lose revenue by a customer choosing another supplier, then the thresholds to transport gas on the Columbia Gas of Kentucky

system must be substantially reduced from the current 25,000 Mcf level. There is no logical reason not to reduce the threshold.

6. Columbia Gas of Kentucky has the <u>highest annual usage threshold required for</u> <u>customers to transport gas</u> of any Columbia Gas LDC. More than Columbia Gas of Virginia; Columbia Gas of Ohio; Columbia Gas of Pennsylvania and Columbia Gas of Maryland. Columbia Gas of Kentucky requires annual usage of over 25,000 Mcf per year. Any customer using less than 25,000 is not eligible to transport their own gas on the Columbia Gas of Kentucky system under current rules.

Columbia Gas of Pennsylvania – Large General Sales Service is available at one location for the total requirements of any commercial or industrial customer whose purchase requirements are in excess of 64,400 therms and who does not contract for distribution service. 64,400 therms = 6,281 Mcf.

Columbia Gas of Virginia – Transportation Service 1 (TS1) is designed for small usage Transportation customers. (TS2 is Transportation Service for larger customers). There is no minimum annual usage to qualify for Transportation Service (TS1) in Virginia.

Columbia Gas of Ohio – General Transportation Service (GTS) is available to any nonresidential customer account that consumes 6,000 Mcf per year or more.

Columbia Gas of Maryland – Transportation Service is available to any commercial or industrial account whose transportation requirements are more than 20,920 therms annually = 2,040 Mcf/year.

Compared to the other Columbia Distribution companies, the 25,000 annual usage requirement of Columbia Gas of Kentucky is <u>patently unreasonable</u> compared to Columbia Gas of Maryland (2,040 minimum annual usage to qualify); Columbia Gas of Ohio (6,000 minimum

annual usage to qualify); Columbia Gas of Pennsylvania (6,281 minimum annual usage to qualify); and Columbia Gas of Virginia (no minimum annual usage required to qualify for gas transportation under TS1.

Columbia Gas of Kentucky must be required to explain in this General Rate Case why it has not offered transportation service to a larger quantity of commercial and industrial customers in Kentucky as the Columbia Operating Companies have done in other states. The Kentucky minimum usage requirement, 25,000 Mcf, is four (4) times the next lowest Columbia LDC (Ohio) threshold of 6,000 Mcf.

WHEREFORE, Stand Energy Corporation respectfully requests that the Commission grant its Motion To Intervene for the reasons stated and discussed herein.

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I hereby certify that Stand Energy Corporation's July 1, 2016 electronic filing with the Commission is a true and accurate copy of Stand Energy's Motion To Intervene and Supporting Memorandum to be filed in paper medium and the foregoing was served by electronic mail this 1st day of July 2016 with the Read 1st transmittal letter to the Commission to the following:

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U.S. Energy Information Administration

Natural Gas

Find statistics on prices, exploration & reserves, production, imports, exports, storage and consumption.

Summary	Additional formats
Summary — price, supply, disposition Monthly Release Date: May 31, 2016 Annual Release Date: September 30, 2015 Key natural gas data for prices, exploration & reserves, production, imports storage and consumption by U.S. and state.	s, exports,
U.S. monthly supply and disposition <i>Release Date: May 31, 2016</i> Includes production, imports, withdrawals and consumption <i>monthly</i>	
Annual supply & disposition by state <i>Release Date: May 31, 2016</i> U.S. and state level statistics for production, deliveries and receipts, storag and withdrawals <i>annual</i>	ge injections
Annual company level data from Form EIA-176 <i>Release Date: September 2015</i> Company level statistics for supply, disposition, and delivery volumes; end- and number of customers. <i>annual</i>	use prices;
 Natural gas overview Release date: May 25, 2016 data from: Monthly Energy Review Annual Release Date: September 27, 2012 Statistics on gross withdrawals, marketed production, dry gas production, s and storage withdrawals. PDF CSV XLS Monthly (more on natural gas) PDF XLSAnnual (more on natural gas) 	supplemental gases, imports, exports, consumption
Natural gas statistics by country Query detailed country and regional energy data supply, disposition annual	
rices	
Prices <i>Release Date: May 31</i> , 2016 U.S. and state prices for wellhead, imports, exports, citygate, and end-use Percentages of total volume delivered by sector. <i>monthly, annual</i>	sectors.
Residential and commercial prices by local distributors and marketers <i>Release Date: May 31, 2016</i> Average price of natural gas delivered to residential and commercial consulocal distribution companies and marketers, and the percent sold by local discompanies in selected states and DC <i>annual</i>	
Natural gas spot and futures prices	

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Average Price of Natural Gas Delivered to Residential and Commercial Consumers by Local Distribution and Marketers in Selected States (Dollars per Thousand Cubic Feet, except where noted)

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Area: District of Columbia V Period: Annual

Show Data By: Data Series O Area	Graph Clear	2010	2011	2012	2013	2014	2015	View History
Residential								
Average Price	5	13.53	13.06	12.10	12.45	13.05	12.52	1980-2015
Commercial	· · · · · · · · · · · · · · · · · · ·							
Average Price	<u>.</u>	12.26	12.24	11.19	11.64	12.18	11.55	1980-2015
Local Distribution Companies		12.99						2006-2010
Marketers	Û	12.12				;		2006-2010
Percent Sold by Local Distribution Companies		16.4						2006-2010

Click on the source key icon to learn how to download series into Excel, or to embed a chart or map on your website.

- = No Data Reported; -- = Not Applicable; NA = Not Available; W = Withheld to avoid disclosure of individual company data.

Notes: Prices are in nominal dollars, Average prices are calculated by weighting percent sold by local distribution companies versus percent sold by marketers according to volumes reported on Form EIA-176, "Annual Report of Natural and Supplemental Gas Supply and Disposition." See Definitions, Sources, and Notes link above for more information on this table.

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(Dollars per Thousand Cubic Feet, except where noted)

Area: Florida V Period: Annual V

Show Data By: Data Series	Graph Clear	2010	2011	2012	2013	2014	2015	View History
Residential	-							
Average Price	63	17.89	18.16	18.34	18.46	19.02	19.29	1967-2015
Local Distribution Companies		17.85						2006-2010
Marketers	<u>(</u>]	19.44						2006-2010
Percent Sold by Local Distribution Companies	C	97.9						2006-2010
Commercial								
Average Price	Ö	10.60	11.14	10.41	10.87	11.38	10.74	1967-2015
Local Distribution Companies	13	11.59						2006-2010
Marketers	0	9.94						2006-2010
Percent Sold by Local Distribution Companies		40.2						2006-2010

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(Donars per mousand Cubic Feet, except where noted)

Area: Georgia 🔹 Period: Annual 🔻

Show Data By:	Graph Clear	2010	2011	2012	2013	2014	2015	View History
Residential								
Average Price	Ø	15.17	15.72	16.23	14.60	14.45	15.06	1967-2015
Local Distribution Companies	Ō	12.18	11.98	12.47	11.86	12.38		2006-2014
Marketers	Ξ	15.67	16.38	16.82	15.04	14.79		2006-2014
Percent Sold by Local Distribution Companies	0	14.3	15.1	13.5	13.9	14.0		2006-2014
Commercial								
Average Price	0	10.95	10.51	9.75	9.38	9.86	8.49	1967-2015
Local Distribution Companies	e	10.72	10.42	10.01	10.19	10.41		2006-2014
Marketers		11.00	10.53	9.69	9.19	9.71		2006-2014
Percent Sold by Local Distribution Companies	(3)	18.3	17.8	17.2	18.7	21.2		2006-2014

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(Dollars per Thousand Cubic Feet, except where noted)

Area: Maryland Y Period: Annual Y

Show Data By: Data Series	Graph Clear	2010	2011	2012	2013	2014	2615	Vlew History
Residential	1							
Average Price	0	12.44	12.10	12.17	11.67	12.21	12.05	1967-2015
Local Distribution Companies	Θ	12.20						2006-2010
Marketers	3	13.51						2006-2010
Percent Sold by Local Distribution Companies	0	81.7						2006-2010
Commercial								
Average Price	0	9.87	10.29	10.00	10.06	10.52	10.00	1967-2015
Local Distribution Companies	Ŀ.	10,43						2006-2010
Marketers	e	9.64						2006-2010
Percent Sold by Local Distribution Companies	G	28.9						2006-2010

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Area: Michigan ¥ Period: Annual

Show Data By: Data Series O Area	Graph	2010	2011	2012	2013	2014	2015	View Histo <i>r</i> y
Residential			1					
Average Price		11.32	10.47	9.95	9.09	9.33	8.78	1967-2015
Commercial								
Average Price	. B	8.95	9.14	8.35	7.82	8.28	7.49	1967-2015
Local Distribution Companies	<u></u>	10.00		;				2006-2010
Marketers	. 3	7.61				3		2006-2010
Percent Sold by Local Distribution Companies	3	55.8				:		2006-2010

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(Doitars per mousano Cubic Peet, except where noted)

Area: New York Y Period: Annual Y

Show Data By: Data Series O Area	Graph Clear	2010	2011	2012	2013	2014	2015	View History
Residential								
Average Price	0	14.04	13.71	12.97	12.49	12.54	11.20	1967-2015
Local Distribution Companies	G	13.87	13.52	12.72	12.24	12.15		2006-2014
Marketers	Ξ	14.55	14.22	13.59	13.07	13.46		2006-2014
Percent Sold by Local Distribution Companies	<u></u>	74.6	72.4	71.2	70.3	70.5		2006-2014
Commercial								
Average Price	8	10.88	9.32	7.84	8.00	8.31	6.89	1967-2015
Local Distribution Companies	U)	10.06	9,48	8,35	8.57	9,02		2006-2014
Marketers		11.36	9.23	7.58	7.68	7.89		2006-2014
Percent Sold by Local Distribution Companies	(jj)	37.2	36.7	33.6	36.1	37.3		2006-2014

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Area: Ohio T Period: Annual

Show Data By: Data Series O Area	Graph Clear	2010	2011	2012	2013	2014	2015	View History
Residential								
Average Price	Ð	11.13	10.78	9.91	9.46	10.16	9.49	1967-2015
Local Distribution Companies	9	10.28	10.32	8.75	9.20	10,15		2006-2014
Marketers	ē	11.80	11.09	10.42	9.52	10.16		2006-2014
Percent Sold by Local Distribution Companies	<u>13</u>	43.7	40.8	30.9	19.8	20.0		2006-2014
Commercial								
Average Price	B	9.25	8.55	7.11	6.21	7.82	6.62	1967-2015
Local Distribution Companies	3	9.32	9.24	8.03	8.55	9.20		2006-2014
Marketers	<u>(</u>)	9.23	8.39	6.97	6.00	7.68		2006-2014
Percent Sold by Local Distribution Companies	3	20.6	17.9	13.2	8.3	9.0		2006-2014

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Area: Pennsylvania 🔻 Period: Annual 🔻

Show Data By: @ Data Series	Graph Clear	2010	2011	2012	2013	2014	2015	View History
Residential				:				
Average Price	3	12.90	12.46	11.99	11.63	11.77	NA	1967-2015
Local Distribution Companies	S	12.82						2006-2010
Marketers	3	13.78						2006-2010
Percent Sold by Local Distribution Companies	9	91.2						2006-2010
Commercial								
Average Price		10.47	10.42	10.24	10.11	10.13	NA	1967-2015
Local Distribution Companies	3	11.29						2006-2010
Markelers		9.64						2006-2010
Percent Sold by Local Distribution Companies	9	50.2						2006-2010

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Area: Virginia T Period: Annual T

Show Data By: Data Series	Graph	2010	2011	2012	2013	2014	2015	View History
Residential	·							
Average Price	9	12.73	12.72	12.42	11.68	12.07	11.58	1967-2015
Local Distribution Companies	\odot	12.64						2006-2010
Marketers	9	13.64						2006-2010
Percent Sold by Local Distribution Companies		90.9		:				2006-2010
Commercial								
Average Price	(<u></u>)	9.55	9.69	8.77	8.83	9.17	8.11	1967-2015
Local Distribution Companies		9.88						2006-2010
Marketers	<u>(</u>]	9.13						2006-2010
Percent Sold by Local Distribution Companies		56.2		1.				2006-2010

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