

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC INVESTIGATION OF THE)
REASONABLENESS OF THE ENERGY)
EFFICIENCY AND CONSERVATION RIDER OF) CASE NO. 2018-00044
COLUMBIA GAS OF KENTUCKY, INC.)

**COMMUNITY ACTION COUNCIL FOR LEXINGTON-FAYETTE, BOURBON,
HARRISON, AND NICHOLAS COUNTIES, INC.'S MOTION TO INTERVENE**

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Comes the Community Action Council for Lexington-Fayette, Bourbon, Harrison, and Nicholas Counties, Inc. (hereinafter "CAC"), by counsel, and pursuant to 807 KAR 5:001 Section 4(11) moves that it be granted leave to intervene in this matter and that it be granted full intervention. As grounds for this motion, CAC states as follows:

1. CAC, whose address is P.O. Box 11610, Lexington, KY 40576, is a non-profit, 501(c)(3), community action agency which provides social services, including energy assistance and related services, to many residents with low income in the Columbia Gas of Kentucky, Inc.'s service territory. CAC administers in partnership with Columbia Gas of Kentucky, Inc. (hereinafter "Columbia") the Columbia Gas Energy Assistance Program to assist its customers with low income in paying their gas bills. CAC also partners with Columbia on its WarmWise high efficiency furnace replacement program for its customers with low income.

2. Counsel for CAC is:

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Counsel is authorized to take service of all documents in this matter.

3. Columbia seeks to revise its Energy Efficiency/Conservation Program Recovery Component (EECP) pursuant to its tariff.

4. 807 KAR 8:001 Section 4(11) states that the Commission shall grant intervention if it finds that a timely motion has been made and that the movant has a “special interest in the case that is not otherwise adequately represented” or that intervention is “likely to present issues or to develop facts that assist the commission in fully considering the matter without unduly complicating or disrupting the proceedings.” CAC’s request for intervention meets this criteria in all respects.

5. CAC has made a timely motion for intervention. The May 11, 2018 scheduling order states that requests for intervention shall be filed no later than May 16, 2018.

6. CAC has a special interest in this case. Intervention by CAC will present issues and develop facts that will assist the Commission in fully considering this matter without unduly complicating or disrupting the proceedings. The Commission’s January 30, 2018 Order, which established this case, states that it will investigate the reasonableness of Columbia’s proposed tariff revision, and the EECP as a whole. The Commission is concerned with the relative costs and benefits of the EECP last approved by the Commission in Case No. 2016-00107.

In calendar year 2017, the Columbia Gas WarmWise furnace replacement program administered by CAC replaced 96 gas furnaces with furnaces that are high efficiency in homes of Columbia low income customers. To date in calendar year 2018, 33 furnaces have been replaced. This furnace replacement program has and continues to greatly benefit customers with low income in the Columbia Service area. The new furnaces give much needed reliability, consistency, and greater affordability to customers with low income. The WarmWise program is a much valued and necessary program to assist the low income population in Columbia’s service

area, and CAC, the program administrator, has a special interest in advocating for its continuation.

7. Because CAC is the primary advocate for customers with low income in Columbia's service area, and because it administers Columbia's furnace replacement program, it has a special interest in this proceeding and will provide a perspective which will not be presented by the other parties to this proceeding. CAC's interests are not adequately represented by the other parties to this proceeding. The Office of the Attorney General cannot adequately represent the subset of residential rate-payers with low-income because the Attorney General's KRS 367.150(8) mandate is to represent consumers' interests, not a subset of consumers. At the time of the last Columbia rate case (2016-00162), 22,501 or about 19% of Columbia customers, lived in poverty. The low income customers' interest differs from that of the interest of consumers generally, and the Attorney General cannot advocate the low income customers' interest specifically. Customers with low income have a special interest in this proceeding because the Columbia furnace replacement program is available only to the customers with low income. Testimony that CAC may file in this proceeding will provide the low income community's unique perspective on the furnace replacement program, which the Office of the Attorney General cannot provide.

8. CAC will present issues and develop facts that will be helpful to the Commission in fully hearing this matter, and participation by CAC will not unduly delay these proceedings, or unduly complicate or disrupt them. CAC will accept and abide by the procedural schedule in this matter, including filing any testimony. No party will be prejudiced by CAC's intervention. Because of its unique position as the low income advocate in Columbia's service territory and its participation in the 2016 Columbia rate case, CAC can and will present testimony that will assist the Commission on behalf of the low income population in the Columbia service area. In

addition, CAC has intervened in several Columbia rate cases before the Commission. In those cases, CAC has advocated for lower rates and programs that provide assistance for customers with low-income.

CAC expects to present the testimony of Malcolm J. Ratchford, Executive Director of CAC, and may choose to present testimony of other witnesses not yet identified.

WHEREFORE, CAC requests that it be granted leave for full intervention and that it be certified as a full party in this proceeding, including the right to present testimony and exhibits, present witnesses, cross-examine witnesses, and be served with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by the parties or orders of the Commission.

Respectfully submitted,



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COUNSEL FOR CAC

CERTIFICATE OF SERVICE

I hereby certify that CAC's May 15, 2018 electronic filing is a true and accurate copy of CAC's Motion to Intervene and Read 1st document to be filed in paper medium; that the electronic filing has been transmitted to the Commission on May 15, 2018 that an original and six copies of the filing will be delivered to the Commission on May 15, 2018; that there are currently no parties excused from participation by electronic service; and that, on May 15, 2018, electronic mail notification of the electronic filing is provided to the following:

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