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June 1, 2020

Kent Chandler, Esq., Executive Director  
Kentucky Public Service Commission  
211 Sower Boulevard  
Frankfort, KY 40602

In Re: Docket No. 2019-000430

Dear Mr. Chandler:

On May 20, 2020, the Commission Staff issued "Commission Staff's Fourth Request for Information to Navitas KY NG, LLC" in the above-captioned docket. The Staff requested, among other things, the following information:

"1. State whether B&W or Navitas KY owns the metering equipment at the transfer point, and which entity is responsible for testing."

"2. Provide the results of the past three meter tests conducted on the transfer point meter."

To assist the Commission, B&W Pipeline files this public comment to respond to the Staff's requests.

The meter located at the point where gas is transferred from B&W Pipeline to Navitas KY (referred to as the "Albany city gate") is owned and maintained by B&W Pipeline. That meter is tested quarterly by Wildcat Gas Analysis, 275 Motor Sport Road, Greensburg, Kentucky 42743. The company owner is Mr. James Shuffett. Attached to this letter are the records of the last three, quarterly tests performed by Mr. Shuffett.

Based on Navitas KY's Response No. 9 to the Staff's First Request for Information, there is no dispute – except for one month – over the monthly amounts of gas delivered by B&W Pipeline to the Albany city gate from July 1, 2017 through January 31, 2019. In July, 2017, Navitas states that 3303 Mcfs of gas were delivered by B&W (or 1598 Mcfs of gas for the partial month, July 17-31), but the actual number as recorded by B&W's meter is 3173 Mcfs (or 1,535 Mcfs for the partial month). All the other Kentucky delivery figures reported by Navitas in Response No. 9 are correct.<sup>1</sup>

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<sup>1</sup> Although the deliveries to Tennessee customers may not be relevant to this docket, B&W notes that there are three, clear errors in the Tennessee delivery figures in Response No. 9. In October, 2017, Navitas reports Tennessee deliveries of only 127 Mcfs. The actual number as shown in Exhibit A attached to the letter from B&W filed on February 7, 2020 was 835 Mcfs. (In Exhibit G, Navitas reported Tennessee sales that month of 725 Mcfs.)

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4844-4805-7278.1

B&W also notes that Navitas has still not accurately calculated the arrearage owed to the pipeline for the period July 17, 2017 through January 31, 2019,<sup>2</sup> nor has Navitas taken any action to seek clarification from the FERC concerning one of the billing disputes raised by Navitas despite having been instructed by the KPSC to do so.<sup>3</sup>

Finally, as stated in the letter filed by B&W in this docket on February 7, 2020, B&W is entitled to charge interest on the arrearage owed by Navitas. Section 6.12 E. of B&W's federal tariff (called the "Statement of Operating Conditions") states that B&W "shall have the option" of charging interest on late payments. B&W has offered to waive interest charges on the arrearage prior to November, 2019, in the hope that Navitas would drop its frivolous billing disputes, begin paying the full, FERC rate on all gas transported by the pipeline, and arrange to pay the arrearage over a reasonable time, with interest going forward from November, 2019. That offer remains open.

Sincerely,

BRADLEY ARANT BOULT CUMMINGS, LLP



Henry Walker

Attachment

cc: Klint Alexander  
Don Baltimore  
Thomas Hartline  
Kent Hatfield

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Similarly, Navitas reports Tennessee deliveries in December, 2017 and January, 2019 as 2596 Mcfs and 1847 Mcfs, respectively. The actual numbers are much higher: 3,501 Mcfs in December, 2017 and 3,176 Mcfs in January, 2019. The Tennessee deliveries in each of the sixteen other months as shown in Response No. 9 are all accurate.

<sup>2</sup> The revised "Exhibit G" submitted by Navitas contains the same errors that B&W Pipeline described in its letter of February 7, 2020. Navitas continues to calculate the arrearage as if the FERC rate became effective on July 1, 2017 instead of July 17, 2017 and continues to calculate the arrearage as if Navitas should only pay for the Mcfs of gas that Navitas sold to its Kentucky customers and not the larger amount of gas that B&W delivered to the Albany city gate.

<sup>3</sup> Mr. Hartline has stated that he has declined to pay a portion of B&W's transportation charges because of alleged ambiguity in a FERC ruling that denied Navitas' petition for rehearing. (A copy of the FERC Order, issued September 4, 2019, was filed by B&W Pipeline in KPSC Docket No. 2019-00241.) During a hearing on February 27, 2020, the KPSC directed Mr. Hartline to seek clarification from the FERC if necessary to resolve the billing dispute.

# ORIFICE METER TEST REPORT

B+W Pipeline  
(Company)

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Measuring Gas  To:  From: \_\_\_\_\_ Date: 4/3/2020 Company Mtr Sta. No.: \_\_\_\_\_  
 Station Name: Albany Time: 7:32 Customer Mtr Sta. No.: 302050  
 Date of Last Test: 12/27/19 Measurement Analyst: \_\_\_\_\_ GFC Serial No.: \_\_\_\_\_  
 TEST FREQUENCY:  MONTHLY  QUARTERLY  BI MONTHLY  OTHER \_\_\_\_\_  
 GFC M/M: ABB Total Flow  CHART RECORDER  CUSTODY METER  OTHER \_\_\_\_\_  
 GFC FLOW RATE 452.1 MCF/D CALCULATED RATE OK VARYING FLOW  YES  NO LEAKS FOUND  YES  NO  
 TEST EQUIPMENT: (Make & S/N): Unit 1: \_\_\_\_\_ Unit 2: \_\_\_\_\_ Unit 3: \_\_\_\_\_

ORIFICE METER INFORMATION				ORIFICE METER INFORMATION			
RUN NO: <u>1</u>	PLATE INSPECTION	YES*	NO	RUN NO: _____	PLATE INSPECTION	YES*	NO
TUBE I.D.: <u>4.026</u> INCH	PLATE DIRTY	<input type="checkbox"/>	<input type="checkbox"/>	TUBE I.D.: _____ INCH	PLATE DIRTY	<input type="checkbox"/>	<input type="checkbox"/>
ORIFICE SIZE: <u>1.000</u> INCH	EDGES DULL	<input type="checkbox"/>	<input type="checkbox"/>	ORIFICE SIZE: _____ INCH	EDGES DULL	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> PLATE CHANGED	SEAL RING DAMAGED	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> PLATE CHANGED	SEAL RING DAMAGED	<input type="checkbox"/>	<input type="checkbox"/>
SIZE INSTALLED _____ INCH	PLATE DAMAGED	<input type="checkbox"/>	<input type="checkbox"/>	SIZE INSTALLED _____ INCH	PLATE DAMAGED	<input type="checkbox"/>	<input type="checkbox"/>
TIME _____	INSTALLED BACKWARDS	<input type="checkbox"/>	<input type="checkbox"/>	TIME _____	INSTALLED BACKWARDS	<input type="checkbox"/>	<input type="checkbox"/>
Pen Arc: <input type="checkbox"/> OK <input type="checkbox"/> Reset	Pen Lag: <input type="checkbox"/> OK <input type="checkbox"/> Reset			Pen Arc: <input type="checkbox"/> OK <input type="checkbox"/> Reset	Pen Lag: <input type="checkbox"/> OK <input type="checkbox"/> Reset		
STATIC PRESSURE CONNECTION <input checked="" type="checkbox"/> UPSTREAM <input type="checkbox"/> DOWNSTREAM				STATIC PRESSURE CONNECTION <input type="checkbox"/> UPSTREAM <input type="checkbox"/> DOWNSTREAM			

DEVICE: <u>DP</u>	DEVICE: <u>Pressure</u>	DEVICE: <u>Temperature</u>	DEVICE: _____								
MAKE / MOD.: <u>ABB</u>	MAKE / MOD.: <u>ABB</u>	MAKE / MOD.: <u>ABB</u>	MAKE / MOD.: _____								
RANGE: <u>0-400"</u> <input type="checkbox"/> *Range Chg	RANGE: <u>0-1500"</u> <input type="checkbox"/> *Range Chg	RANGE: <u>0-200 D</u> <input type="checkbox"/> *Range Chg	RANGE: _____ <input type="checkbox"/> *Range Chg								
TEST VALUE	AS FOUND	AS LEFT	TEST VALUE	AS FOUND	AS LEFT	TEST VALUE	AS FOUND	AS LEFT	TEST VALUE	AS FOUND	AS LEFT
	<u>93.38</u>			<u>55.62</u>			<u>49.56</u>				
W.P. ZERO	<u>0.0</u>	<u>0.0</u>	<u>Test</u>			<u>Test</u>					
AP	<u>.105</u>	<u>0.0</u>									
<u>99.97</u>	<u>100.1</u>	<u>100.1</u>	<u>40.7</u>	<u>40.99</u>	<u>OK</u>	<u>49.43</u>	<u>49.56</u>	<u>OK</u>			
<u>199.98</u>	<u>200.09</u>	<u>200.09</u>									
<u>300.02</u>	<u>300.03</u>	<u>300.03</u>	<u>0.0</u>	<u>.04</u>	<u>OK</u>						
<u>400.01</u>	<u>400.02</u>	<u>400.02</u>									
<u>200.01</u>	<u>200.11</u>	<u>200.11</u>									
<u>100.0</u>	<u>100.11</u>	<u>100.11</u>									
AP	<u>.008</u>	<u>.008</u>									
WP	<u>0.0</u>	<u>0.0</u>									
	<u>93.72</u>			<u>55.34</u>			<u>50.2</u>				
TEMP. DEVICE - MAKE-MODEL-RANGE	TEST VALUE	AS FOUND	AS LEFT	TEMP. DEVICE - MAKE-MODEL-RANGE	TEST VALUE	AS FOUND	AS LEFT				

GAS PROPERTY INFORMATION				METER TEST				
WATER CONTENT	GAS SAMPLE COLLECTED			TIME	ON	OFF	ON	OFF
_____ LBS./MMSCF	<input type="checkbox"/> YES <input type="checkbox"/> NO			FLOW RATE (DTH)	A	B	A	B
	<input type="checkbox"/> COMPOSITE <input type="checkbox"/> SPOT			ACCUMULATOR	D	E	D	E
GFC GAS QUALITY DATA VERIFICATION				ACCUM. ADJUSTMENT _____	ACCUM. ADJUSTED	<input type="checkbox"/> YES <input type="checkbox"/> NO		
GFC	BTU	Relative Density	C02	HOT WORK PERMIT INFORMATION				
AS FOUND				% LEL	TIME	% LEL	TIME	
AS LEFT				% LEL	TIME	% LEL	TIME	

REMARKS: (\*EXPLAIN) 1. DP AP zero Reset, 2. Pressure OK, 3. Temp OK

Voltage Charging 13.6 V  
Battery 12.7 V

Adam Bloyd  
WITNESS / COMPANY

[Signature]  
REPORTED BY

B+W Pipeline  
(Company)

# ORIFICE METER TEST REPORT

Page 1 of 1

Measuring Gas  
 To:  From: \_\_\_\_\_ Date: 12-27-19 Company Mtr Sta. No.: 302050  
 Station Name: Albany Time: 7:07 Customer Mtr Sta. No.: \_\_\_\_\_  
 Date of Last Test: 7-11-19 Measurement Analyst: \_\_\_\_\_ GFC Serial No.: \_\_\_\_\_  
 TEST FREQUENCY:  MONTHLY  QUARTERLY  BI MONTHLY  OTHER \_\_\_\_\_  
 GFC M/M: ABB  CHART RECORDER  CUSTODY METER  OTHER \_\_\_\_\_  
 GFC FLOW RATE 466.7 MCF/D CALCULATED RATE OK VARYING FLOW  YES  NO LEAKS FOUND  YES  NO  
 TEST EQUIPMENT: (Make & S/N): Unit 1: \_\_\_\_\_ Unit 2: \_\_\_\_\_ Unit 3: \_\_\_\_\_

ORIFICE METER INFORMATION						ORIFICE METER INFORMATION					
RUN NO:	TUBE I.D.:	ORIFICE SIZE:	SIZE INSTALLED:	TIME:	PLATE INSPECTION	RUN NO:	TUBE I.D.:	ORIFICE SIZE:	SIZE INSTALLED:	TIME:	PLATE INSPECTION
<u>1</u>	<u>4.026</u> INCH	<u>1.000</u> INCH			YES* <input type="checkbox"/> NO <input type="checkbox"/> PLATE DIRTY <input type="checkbox"/> EDGES DULL <input type="checkbox"/> SEAL RING DAMAGED <input type="checkbox"/> PLATE DAMAGED <input type="checkbox"/> INSTALLED BACKWARDS <input type="checkbox"/>						
Pen Arc: <input type="checkbox"/> OK <input type="checkbox"/> Reset Pen Lag: <input type="checkbox"/> OK <input type="checkbox"/> Reset STATIC PRESSURE CONNECTION <input checked="" type="checkbox"/> UPSTREAM <input type="checkbox"/> DOWNSTREAM						Pen Arc: <input type="checkbox"/> OK <input type="checkbox"/> Reset Pen Lag: <input type="checkbox"/> OK <input type="checkbox"/> Reset STATIC PRESSURE CONNECTION <input type="checkbox"/> UPSTREAM <input type="checkbox"/> DOWNSTREAM					

  

DEVICE:	MAKE / MOD.:	RANGE:	TEST VALUE	AS FOUND	AS LEFT	DEVICE:	MAKE / MOD.:	RANGE:	TEST VALUE	AS FOUND	AS LEFT	DEVICE:	MAKE / MOD.:	RANGE:	TEST VALUE	AS FOUND	AS LEFT
<u>DP</u>	<u>ABB</u>	<u>0-400"</u>	<u>90.77</u>			<u>Pressure</u>	<u>ABB</u>	<u>0-150#</u>	<u>59.71</u>			<u>Temperature</u>	<u>ABB</u>	<u>0-200</u>	<u>49.42</u>		
W.P. ZERO	<u>0.0</u>	<u>0.0</u>	<u>Test</u>						<u>49.94</u>	<u>49.92</u>	<u>49.92</u>						
<u>100.14</u>	<u>100.06</u>	<u>100.06</u>															
<u>200.03</u>	<u>200.03</u>	<u>200.03</u>	<u>45.25</u>	<u>41.8</u>	<u>Reset</u>												
<u>299.01</u>	<u>299.01</u>	<u>299.01</u>															
<u>400.05</u>	<u>400.08</u>	<u>400.08</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>												
<u>250.03</u>	<u>250.07</u>	<u>250.07</u>															
<u>50.20</u>	<u>50.15</u>	<u>50.15</u>	<u>Re Test</u>														
<u>0.0</u>	<u>0.0</u>	<u>0.0</u>															
<u>WP</u>	<u>0.0</u>	<u>0.0</u>	<u>45.25</u>	<u>45.19</u>	<u>45.19</u>												
			<u>0.0</u>	<u>0.0</u>	<u>0.0</u>												
			<u>98.76</u>						<u>49.99</u>								
TEMP. DEVICE - MAKE-MODEL-RANGE			TEST VALUE	AS FOUND	AS LEFT	TEMP. DEVICE - MAKE-MODEL-RANGE			TEST VALUE	AS FOUND	AS LEFT	TEMP. DEVICE - MAKE-MODEL-RANGE			TEST VALUE	AS FOUND	AS LEFT

**GAS PROPERTY INFORMATION**  
 WATER CONTENT \_\_\_\_\_ LBS./MMSCF  
 GAS SAMPLE COLLECTED  YES  NO  
 COMPOSITE  SPOT

**GFC GAS QUALITY DATA VERIFICATION**  
 GFC BTU Relative Density CO2 N2  
 AS FOUND \_\_\_\_\_  
 AS LEFT \_\_\_\_\_

**METER TEST**  
 TIME \_\_\_\_\_  
 FLOW RATE (DTH) \_\_\_\_\_  
 ACCUMULATOR \_\_\_\_\_  
 ACCUM. ADJUSTMENT \_\_\_\_\_ ACCUM. ADJUSTED  YES  NO

**HOT WORK PERMIT INFORMATION**  
 \_\_\_\_\_ % LEL TIME \_\_\_\_\_  
 \_\_\_\_\_ % LEL TIME \_\_\_\_\_

REMARKS: (\*EXPLAIN) ① DP OK ② Reset Pressure 3 Temp. OK

Voltage: Charging @ 13.5V  
Battery @ 12.2V

WITNESS / COMPANY \_\_\_\_\_ REPORTED BY [Signature]

# ORIFICE METER TEST REPORT

B+W Pipeline  
(Company)

Measuring Gas <input type="checkbox"/> To: <input type="checkbox"/> From:		Date: <u>7/11/19</u>	Company Mr Sta. No.: <u>302050</u>
Station Name: <u>ALBANY</u>		Time:	Customer Mr Sta. No.:
Date of Last Test: <u>3/29/19</u>	Measurement Analyst:	GFC Serial No.:	
TEST FREQUENCY: GFC M/M: <u>ABB</u>	<input checked="" type="checkbox"/> QUARTERLY <input type="checkbox"/> CHART RECORDER	<input type="checkbox"/> BI MONTHLY <input type="checkbox"/> CUSTODY METER	<input type="checkbox"/> OTHER <input type="checkbox"/> OTHER
GFC FLOW RATE <u>271.9</u>	CALCULATED RATE <u>OK</u>	VARYING FLOW <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	LEAKS FOUND <input type="checkbox"/> YES* <input checked="" type="checkbox"/> NO
TEST EQUIPMENT: (Make & S/N): Unit 1: _____ Unit 2: _____ Unit 3: _____			

ORIFICE METER INFORMATION			ORIFICE METER INFORMATION		
RUN NO:	PLATE INSPECTION	YES* NO	RUN NO:	PLATE INSPECTION	YES* NO
<u>1</u>	PLATE DIRTY	<input type="checkbox"/> <input type="checkbox"/>	_____	PLATE DIRTY	<input type="checkbox"/> <input type="checkbox"/>
TUBE I.D.: <u>4.026</u> INCH	EDGES DULL	<input type="checkbox"/> <input type="checkbox"/>	TUBE I.D.: _____ INCH	EDGES DULL	<input type="checkbox"/> <input type="checkbox"/>
ORIFICE SIZE: <u>1.000</u> INCH	SEAL RING DAMAGED	<input type="checkbox"/> <input type="checkbox"/>	ORIFICE SIZE: _____ INCH	SEAL RING DAMAGED	<input type="checkbox"/> <input type="checkbox"/>
<input type="checkbox"/> PLATE CHANGED	PLATE DAMAGED	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> PLATE CHANGED	PLATE DAMAGED	<input type="checkbox"/> <input type="checkbox"/>
SIZE INSTALLED _____ INCH	INSTALLED BACKWARDS	<input type="checkbox"/> <input type="checkbox"/>	SIZE INSTALLED _____ INCH	INSTALLED BACKWARDS	<input type="checkbox"/> <input type="checkbox"/>
TIME _____			TIME _____		
Pen Arc: <input type="checkbox"/> OK <input type="checkbox"/> Reset	Pen Lag: <input type="checkbox"/> OK <input type="checkbox"/> Reset		Pen Arc: <input type="checkbox"/> OK <input type="checkbox"/> Reset	Pen Lag: <input type="checkbox"/> OK <input type="checkbox"/> Reset	
STATIC PRESSURE CONNECTION <input checked="" type="checkbox"/> UPSTREAM <input type="checkbox"/> DOWNSTREAM			STATIC PRESSURE CONNECTION <input type="checkbox"/> UPSTREAM <input type="checkbox"/> DOWNSTREAM		

DEVICE: <u>DP</u>	DEVICE: <u>Pressure</u>	DEVICE: <u>Temp.</u>	DEVICE:								
MAKE / MOD.: <u>ABB</u>	MAKE / MOD.: <u>ABB</u>	MAKE / MOD.: <u>ABB</u>	MAKE / MOD.:								
RANGE: <u>0-400"</u> <input type="checkbox"/> *Range Chg	RANGE: <u>0-1500#</u> <input type="checkbox"/> *Range Chg	RANGE: <u>0-200</u> <input type="checkbox"/> *Range Chg	RANGE: _____ <input type="checkbox"/> *Range Chg								
TEST VALUE	AS FOUND	AS LEFT	TEST VALUE	AS FOUND	AS LEFT	TEST VALUE	AS FOUND	AS LEFT	TEST VALUE	AS FOUND	AS LEFT
	<u>39.33</u>			<u>50.19</u>			<u>73.81</u>				
W.P. ZERO	<u>0.0</u>	<u>0.0</u>									
AP	<u>0.0</u>	<u>0.0</u>	<u>Test</u>			<u>Test</u>					
<u>99.94</u>	<u>99.96</u>	<u>99.96</u>	<u>36.9</u>	<u>35.7</u>	<u>(D)</u>	<u>73.83</u>	<u>73.81</u>	<u>73.81</u>			
<u>199.82</u>	<u>199.94</u>	<u>199.94</u>									
<u>299.77</u>	<u>299.95</u>	<u>299.95</u>	<u>0.0</u>	<u>-0.999</u>	<u>(D)</u>						
<u>399.71</u>	<u>399.91</u>	<u>399.91</u>									
<u>249.80</u>	<u>249.95</u>	<u>249.95</u>	<u>Test</u>								
<u>50.02</u>	<u>50.09</u>	<u>50.09</u>	<u>36.9</u>	<u>36.81</u>	<u>36.81</u>						
<u>0.0</u>	<u>0.0</u>	<u>0.0</u>									
WP	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>						
	<u>37.59</u>			<u>51.17</u>			<u>73.96</u>				
TEMP. DEVICE - MAKE-MODEL-RANGE	TEST VALUE	AS FOUND	AS LEFT	TEMP. DEVICE - MAKE-MODEL-RANGE	TEST VALUE	AS FOUND	AS LEFT				

GAS PROPERTY INFORMATION		METER TEST	
WATER CONTENT _____ LBS./MMSCF	GAS SAMPLE COLLECTED <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> COMPOSITE <input type="checkbox"/> SPOT	ON OFF ON OFF	TIME
		A B A B	FLOW RATE (DTH)
		D E D E	ACCUMULATOR
GFC GAS QUALITY DATA VERIFICATION		ACCUM. ADJUSTMENT _____ ACCUM. ADJUSTED <input type="checkbox"/> YES <input type="checkbox"/> NO	
GFC	BTU	Relative Density	C02
AS FOUND			
AS LEFT			

REMARKS: (\*EXPLAIN) (1) Reset zero (2) Test Temp OK (3) Test DP  
Voltage: Charging 13.5  
Battery 12.6

WITNESS / COMPANY _____	For Office Use
REPORTED BY <u>A-S Shiffert</u>	Verified: _____
Distribution: Measurement Analyst - Division Measurement Specialist/Coordinator - Witness - Originating Location	Date: _____