

**COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION**

**In the Matter of:**

**THE JOINT ELECTRONIC )  
APPLICATION OF NAVITAS )  
KY NG, LLC, JOHNSON )  
COUNTY GAS COMPANY, )  
AND B&H GAS SYSTEM )  
FOR APPROVAL OF )  
ACQUISITION, TRANSFER )  
OF OWNERSHIP, AND )  
CONTROL OF NATURAL )  
GAS UTILITY SYSTEMS )**

**CASE NO. 2020-00396**

**NAVITAS KY NG, LLC, JOHNSON COUNTY GAS COMPANY, AND B&H GAS  
SYSTEM SUPPLEMENTAL RESPONSE TO COMMISSION STAFF'S  
FIRST REQUEST FOR INFORMATION**

Navitas KY NG, LLC (“Navitas”), pursuant to the Commission’s Order entered March 3, 2020, hereby submits the following supplemental and corrected Response to the Commission Staff’s Second Request for Information. Navitas provides as follows:

1. In response to Data Request 6(c), Navitas, B&H and JCG respond as follows:
  6. *Refer to the Application, page 7, paragraph 22.*
    - c. *Confirm if the Applicants are requesting that Johnson County’s current tariff rate be used for B&H’s current ratepayers upon acquisition in this case, irrespective of the outcome of the B&H rate case. If confirmed, provide copies of B&H’s and Johnson County’s billing analyses in Excel spreadsheet format with all formulas intact and unprotected and all rows and columns fully accessible in such detail that revenues at current rates and at proposed rates based on actual gas usage can be readily determined.*

*If this cannot be confirmed, clarify what rates Navitas KY is proposing to adopt for each of the two systems.*

**TH AND BR RESPONSE:** In addition to the response the Parties submitted in their January 29, 2021 Response, the Parties now submit the data Excel Spreadsheet, “**Billing Analysis**” for the Commission’s review.

2. In response to Data Request 8(b), the Parties submit the following:

8. *Refer to the Application, page 8, paragraph 25.*

*b. Provide the proposed unified GCA rate report that Navitas KY plans to use in Excel spreadsheet format with all formulas intact and unprotected and all rows and columns fully accessible.*

**TH AND BR RESPONSE:** As alluded to in DR 1, the Parties would like to have better clarity as to the direction the Commission would like to pursue prior to embarking on such an undertaking.

3. In addition to the Parties Response to data Request 12, the Parties now put forth the following:

**TH AND BR RESPONSE:** Navitas would like to avail themselves of the opportunity to self-certify one or more of their employees to become certified meter testers per the July 17, 2018 Order in 2018-00226. Specifically, Navitas seeks to pursue the Commission’s Order as it pertains to meter testing certification under 807 KAR 5:006, Section 17(4).

“The Commission finds that a utility or third-party operator of a meter-testing facility may self-certify as a meter tester an employee who receives documented training regarding meter shop practices, proper meter-testing procedures, and Commission regulations applicable to meter testing. The Commission further finds that each utility and third party performing meter testing for

a utility should be responsible for maintaining current documentation of training for each employee performing meter tests for a utility.<sup>1</sup>”

Navitas now requests the Commission’s guidance as to initiating this procedure pursuant to 807 KAR 5:006, Section 17(5), which was not addressed in the July 17, 2018 Order.

4. In their February 1, 2021 Order in Case No 2020-00396, the Commission noted the existence of a fourth proceeding not addressed in the application or the Agreement, which involves an investigation into potential overbilling and that is pending before the Commission. The Johnson County Gas investigation under Case No. 2020-00122, *Electronic Investigation Of The Gas Costs Of Johnson County Gas Company, Inc. And Hall, Stephens And Hall Gas Company Pursuant To Krs 278.2207, And Krs 278.274* was included in Schedule 3.4 of the APA, and is intended to be included in the Parties requests to the Commission as it relates to the on-going litigation of B&H and Johnson County Gas. While all litigation is encompassed in Exhibit C of the APA, Navitas requests the Commission state any and all investigations of B&H and JCG beyond those stated by the Parties, as the gas price investigation under Case No. 2015-000367, *An Investigation Of The Gas Costs Of B & H Gas Company Pursuant To KRS. 278.2207 And The Wholesale Gas Price It Is Charged By Its Affiliate, B&S Oil And Gas Company, Pursuant To KRS. 278.274*, currently on appeal in the Kentucky Court of Appeals under Civil Action 2020-CA-0614; the gas price investigation in Case No. 2020-00122, *Electronic Investigation Of The Gas Costs Of Johnson County Gas Company, Inc. And Hall, Stephens And Hall Gas Company Pursuant To Krs 278.2207, And Krs 278.274.*, which is a current and on-going matter; Case No. 2019-00056, *Electronic Investigation Of Johnson County Gas Company, Inc. And Bud Rife, Individually And As An Officer Of Johnson County Gas Company, Inc. Alleged Violation Of KRS 278.300, A Commission Order,*

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<sup>1</sup> Case No. 2018-00226, *Notification To Utilities Furnishing Metered Electric, Gas Or Water Service Regarding Meter Testing Requirements* (filed Jul. 17, 2018).

*And A Tariff*; currently on appeal in the Franklin Circuit Court in Case 2019-CI-948, and Case No. 2019-00055, *Electronic Investigation Of B & H Gas Company, And Bud Rife, Individually And As An Officer Of B & H Gas Company Alleged Violation Of KRS 278.300.*, currently on appeal in the Franklin Circuit Court in Case 2019-CI-949.

5. Currently, it is Navitas' belief that additional discussion in the anticipated Commission's Second Request for Information shall provide a pathway to a satisfactory resolution of these above referenced matters.

6. Aside from the guidance the Parties seek on the matter of the confidential and or non-electronic posting as to the requested information from data request 11(a), the Parties believe that this Supplemental Filing, along with the Data responses the Parties filed on January 29, 2021, fully encapsulates the entirety of the information requested by the Commission. The Parties request that the Commission advise the Parties should there be any remaining information they seek as to their First Request for Information.

Respectfully submitted,

/s/ Klint W. Alexander

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Klint W. Alexander (# 88343)  
1767 Nottage Ct  
Laramie, WY 82072  
Tel: 615.594-4377  
Email: [klint.alexander10@gmail.com](mailto:klint.alexander10@gmail.com)  
*Counsel for Navitas KY NG, LLC*

/s/ Joe F. Childers

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Joe F. Childers (# 11850)  
Childers & Baxter, PLLC  
The Lexington Building  
201 West Short Street, Suite 300  
Lexington, Kentucky 40507  
Telephone: (859)253-9824  
Facsimile: (859)258-9288  
Email: [childerslaw81@gmail.com](mailto:childerslaw81@gmail.com)  
*Counsel for B&H and JCG*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the 4th day of February, 2021, a true and correct copy of the foregoing instrument was deposited in the United States Mail with postage prepaid, and addressed to the following:

**Lindsey Flora**  
Executive Director  
Public Service Commission  
Commonwealth of Kentucky  
211 Sower Blvd.  
Frankfort, KY 40601

**J.E.B. Pinney, Esq.**  
General Counsel  
Public Service Commission  
Commonwealth of Kentucky  
211 Sower Blvd.  
Frankfort, KY 40601

**Larry Cook**  
Office of the Attorney General  
Rate Intervention  
700 Capitol Ave. Suite 20  
Frankfort, KY 40601

/s/ Klint W. Alexander  
Klint W. Alexander

/s/ Joe F. Childers  
Joe F. Childers