

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC TARIFF FILING OF COLUMBIA)	
GAS OF KENTUCKY, INC. TO EXTEND ITS)	CASE NO.
SMALL VOLUME GAS TRANSPORTATION)	2021-00386
SERVICE)	

MOTION FOR DEVIATION

Comes now Columbia Gas of Kentucky, Inc. (“Columbia”), by counsel, pursuant to 807 KAR 5:001 Section 22 and other applicable law, and for its Motion requesting that the Kentucky Public Service Commission (“Commission”) grant a deviation from a portion of the regulation addressing notice of hearing, 807 KAR 5:001 Section 9(2)(b), respectfully states as follows:

1. Columbia submitted its notice of hearing to Kentucky Press Association on July 14, 2023 and requested publication for the newspapers of general circulation in its service territory. A copy of the request for publication was filed in the record of this proceeding on July 20, 2023. Kentucky Press Association overlooked ten counties and did not request that the hearing notice be published in those ten counties. The counties were: Letcher, Clay, Carter, Bath, Johnson, Lee, Lewis, Nicholas, Owsley and Robertson.

Columbia has a total of 165 customers in these ten counties.¹ However, the *Lexington Herald Leader* did publish hearing notice on July 19, 2023 and it is available in these counties. In addition, some of the surrounding county papers are also available in some of these counties. Furthermore, Columbia posted the notice of hearing on its website on July 13, 2023.

2. In addition to the hearing notice not being published in the counties listed above, the following newspapers published the hearing notice less than seven days prior to the hearing as required in 807 KAR 5:001 Section 9(2)(b). The following newspapers published one day late on July 20, 2023; *Brooksville Bracken County News*, *Cynthiana Democrat*, *Hindman Troublesome Creek Times*, *Mt. Sterling Advocate*, *Nicholasville Jessamine Journal*, *Paris Bourbon County Citizen*, and *Versailles Woodford Sun*. However, the *Lexington Herald Leader* is available in each of these counties as well and was published on July 19, 2023.

3. Columbia learned of Kentucky Press Association's failure to request publication in the ten counties listed above when it inquired about the proof of publication affidavits that are needed to file with the Commission.²

4. Columbia requests a deviation for the ten counties (165 total customers) that hearing notice was not requested to be published by Kentucky Press Association, as well

¹ Letcher County – 1; Clay County – 11 ; Carter County – 3 ; Bath County – 4 ; Johnson County– 30; Lee County – 3 ; Lewis County– 74; Nicholas County – 17; Owsley County – 14; Robertson County – 8.

² Please see the email attached as Exhibit 1 which lists the dates of publication and the counties that were not published.

as a deviation for the newspaper where the hearing notice was published one day past the seven day prior to the hearing deadline.

WHEREFORE, on the basis of the foregoing, Columbia respectfully requests that the Commission grant a deviation from 807 KAR 5:001 Section 9(2)(b) as it relates to the newspapers and counties listed above.

This 24th day of July, 2023.

Respectfully submitted,



L. Allyson Honaker
HONAKER LAW OFFICE PLLC
1795 Alysheba Way, Suite 6202
Lexington, KY 40509
(859) 368-8803 - office
(859) 396-3172 - mobile
allyson@hloky.com

and

Joseph M. Clark
Assistant General Counsel
John R. Ryan
Senior Counsel
290 W. Nationwide Blvd.
Columbus, Ohio 43215
(614) 813-8685
(614) 285-2220
(959) 288-0258 (fax)
josephclark@nisource.com
johnryan@nisource.com

Counsel for Columbia Gas of Kentucky, Inc.

CERTIFICATE OF SERVICE

This is to certify that the foregoing electronic filing was filed electronically with the Commission on July 24, 2023 and that there are currently no parties that the Commission has excused from electronic participation in this matter. Pursuant to prior Commission orders, no paper copies of this filing will be made.



Counsel for Columbia Gas of Kentucky, Inc.