

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

IN THE MATTER OF	*	
	*	_____
ELECTRONIC TARIFF FILING OF	*	
COLUMBIA GAS OF KENTUCKY, INC.	*	CASE NO. 2021-00386
TO EXTEND ITS SMALL VOLUME GAS	*	_____
TRANSPORTATION SERVICE	*	

XOOM ENERGY KENTUCKY, LLC’S MOTION TO INTERVENE

XOOM Energy Kentucky, LLC (“XOOM”), pursuant to 807 KAR 5:001 Section 4(11), by counsel, moves to intervene in the above-captioned proceeding based on its special interest in the Columbia Gas of Kentucky, Inc. (“Columbia”) Small Volume Gas Transportation Service (“Choice Program”). In support of this Motion, XOOM states as follows:

1. On or about September 30, 2021, Columbia filed an Application to extend the Choice Program. The Choice Program allows Columbia customers to decide who delivers natural gas for their home or business. XOOM, an affiliate of NRG Energy, Inc. (“NRG”), is an active supplier in the Choice Program. XOOM has been offering natural gas products of varying durations and serving residential and commercial customers in the Columbia service territory since January 2013.

2. XOOM is a Kentucky limited liability company. Through its affiliates, XOOM operates in numerous jurisdictions throughout the Eastern U.S. in addition to Kentucky. XOOM is part of the NRG corporate family which includes other natural gas and electricity retail suppliers that collectively serve over six million electricity and natural gas customers across 24 states, the District of Columbia, and eight provinces in Canada. In 2020, the NRG retail companies supplied to their customers approximately 152 TWH of electricity and 914 MMDth of natural gas.

3. Columbia’s Application involves continuation of the Choice Program and, as such, will directly impact XOOM, current Choice Program customers, and future Choice Program customers. XOOM offers different products to its customers in the Choice Program, sometimes locking in rates for significant time periods. Possible changes to the Choice Program tariffs impact both XOOM and its customers.

4. XOOM and NRG bring a broad spectrum of experience to this proceeding which is not otherwise adequately represented by any other party or prospective party in this above-captioned case and XOOM’s participation will not unduly complicate or disrupt the proceeding.

5. The Commission has opened this investigation based on Columbia’s tariff filing, and the Commission Staff has posed data requests to Columbia regarding whether to extend the Choice Program. As addressed above, any potential changes to the Choice Program could significantly impact XOOM’s cost structure, and XOOM has a special interest in the “rates” and “services” of Columbia in this specific proceeding. KRS 278.010(12); KRS 278.010(13) (“[a]nyone seeking to intervene must have an interest in the ‘rates’ or ‘services’ of a utility.”). Accordingly, XOOM has a special interest in these proceedings.

6. There is no party that can represent XOOM’s interest in this proceeding other than XOOM. If granted intervention, XOOM agrees to operate under the revised procedural schedule entered December 7, 2021.

7. The attorneys for XOOM authorized to represent it in this proceeding and to take service of all documents are:

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**pro hac vice admission pending*

WHEREFORE, XOOM respectfully requests that it be permitted to intervene as a party in the above-referenced matter, with all rights attendant thereto.

Respectfully submitted,

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Counsel for XOOM Energy Kentucky, LLC

Dated: January 14, 2022

CERTIFICATE OF SERVICE

I hereby certify that XOOM's January 14, 2022 electronic filing is a true and accurate copy of the foregoing; that the electronic filing has been transmitted to the Commission on January 14, 2022; that pursuant to the Commission's July 22, 2021 Order in Case No. 2020-00085, an original and one copy of the filing are excused from being mailed to the Commission; that there are currently no parties excused from participation by electronic service; and that, on January 14, 2022, electronic mail notification of the electronic filing is provided to all parties of record.

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