

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

IN THE MATTER OF

ELECTRONIC TARIFF FILING OF
COLUMBIA GAS OF KENTUCKY, INC.
TO EXTEND ITS SMALL VOLUME GAS
TRANSPORTATION SERVICE

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CASE NO. 2021-00386

**XOOM ENERGY KENTUCKY, LLC’S
MOTION FOR CONTINUANCE OF HEARING AND
FOR EXPEDITED CONSIDERATION**

XOOM Energy Kentucky, LLC (“XOOM”), by counsel, respectfully requests that the Commission issue an order on an expedited basis that continues the hearing date for this matter to September 29, 2022. In advance of filing this Motion, XOOM has spoken with Interstate Gas Supply, Inc. (“IGS”), Constellation New Energy, Gas Division, LLC (“CNEG”), and Columbia Gas of Kentucky, Inc. (“Columbia”), and is authorized to represent that IGS, CNEG, and Columbia do not oppose this Motion. In support of this Motion, XOOM states as follows:

1. On September 30, 2021, Columbia submitted a tariff filing to continue its CHOICE program under the program’s current terms and conditions through March 31, 2025.¹
2. On October 18, 2021, the Commission found that “an investigation is necessary to determine the reasonableness of the proposed tariffs to extend the CHOICE program” and established this proceeding.²

¹ Case No. 2021-00386, *In the Matter of Electronic Tariff Filing of Columbia Gas of Kentucky, Inc. to Extend its Small Volume Gas Transportation Service*, Order at p. 1 (Ky. PSC Oct. 18, 2021).

² *Id.* at p. 1-2.

3. On December 7, 2021, the Commission entered a revised procedural schedule. In the revised schedule, the Commission afforded the parties until May 6, 2022 to request a public hearing or request that this case be decided based upon the written record.³

4. On February 28, 2022, XOOM, CNEG, and IGS filed a Motion for Interim Authority requesting that the Commission enter an order permitting Columbia to continue operating the CHOICE Program until the conclusion of this proceeding. The Commission granted this Motion on March 17, 2022 and ordered that the CHOICE Program be extended under its current terms and conditions until a final Order is entered in this proceeding.⁴

5. On May 6, 2022, XOOM filed a request for a public hearing in this matter, noting that “the public interest is best served by a hearing on this matter, which will allow the parties to answer questions from the Commission regarding the issues XOOM raised in its pre-filed testimony.”⁵

6. On May 13, 2022, the Commission entered an Order requiring that a hearing in this matter be held on June 14, 2022.⁶

7. In the Commission’s December 7, 2021 Order revising the procedural schedule, the Commission stated that it “does not look favorably upon motions for continuance. Accordingly, motions for extensions of time with respect to the schedule herein shall be made in writing and will be granted only upon a showing of good cause.”⁷

³ Case No. 2021-00386, *In the Matter of Electronic Tariff Filing of Columbia Gas of Kentucky, Inc. to Extend its Small Volume Gas Transportation Service*, Order at Appendix (Ky. PSC Dec. 7, 2021).

⁴ Case No. 2021-00386, *In the Matter of Electronic Tariff Filing of Columbia Gas of Kentucky, Inc. to Extend its Small Volume Gas Transportation Service*, Order at 4 (Ky. PSC Mar. 17, 2022).

⁵ Case No. 2021-00386, *In the Matter of Electronic Tariff Filing of Columbia Gas of Kentucky, Inc. to Extend its Small Volume Gas Transportation Service*, XOOM Energy Kentucky, LLC’s Request for a Hearing at p. 2 (May 6, 2022).

⁶ Case No. 2021-00386, *In the Matter of Electronic Tariff Filing of Columbia Gas of Kentucky, Inc. to Extend its Small Volume Gas Transportation Service*, Order at ¶ 1 (Ky. PSC May 13, 2022).

⁷ Case No. 2021-00386, *In the Matter of Electronic Tariff Filing of Columbia Gas of Kentucky, Inc. to Extend its Small Volume Gas Transportation Service*, Order at ¶ 9 (Ky. PSC Dec. 7, 2021).

8. XOOM has good cause to request a continuance of the hearing date. On the hearing date, XOOM's witness Travis Kavulla ("Mr. Kavulla") has a previously scheduled commitment that he is unable to postpone. Accordingly, he will be unavailable to attend the hearing in person. While XOOM would ordinarily propose that Mr. Kavulla be permitted to attend the hearing virtually, his internet access will be limited during the hearing, making a virtual appearance impossible.

9. As Mr. Kavulla submitted a substantial amount of testimony in this case, which contains several recommendations regarding the Choice Program, XOOM expects the parties and the Commission to have questions for Mr. Kavulla.

10. XOOM has coordinated with IGS, CNEG, and Columbia to find a new hearing date where all parties are available. The parties' next available date is September 29, 2022. Accordingly, XOOM requests that the Commission reschedule this matter for September 29, 2022. Should the Commission be unable to reschedule the hearing on September 29, 2022, the parties can provide additional dates.

11. As stated above, XOOM has spoken with IGS, CNEG, and Columbia, and is authorized to represent that IGS, CNEG, and Columbia do not oppose this Motion.

WHEREFORE, for the foregoing reasons, XOOM respectfully requests that the Commission issue an order on an expedited basis that continues the hearing date for this matter to September 29, 2022 and grant any further relief the Commission may deem necessary and appropriate.

Respectfully submitted,

XOOM ENERGY KENTUCKY, LLC

By Counsel

/s/ Gregory T. Dutton

Gregory T. Dutton

Frost Brown Todd LLC

400 West Market Street, Suite 3200

Louisville, Kentucky 40202

502.779.8557

gdutton@fbtlaw.com

Brian R. Greene*

Victoria L. Howell*

GreeneHurlocker, PLC

4908 Monument Avenue, Suite 200

Richmond, Virginia 23230

804.672.4542 (BRG)

804.672.4546 (VLH)

BGreene@GreeneHurlocker.com

VHowell@GreeneHurlocker.com

* *admitted pro hac vice*

Counsel for XOOM Energy Kentucky, LLC