

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

IN THE MATTER OF:

ELECTRONIC INVESTIGATION OF JURISDICTIONAL)	
STATUS OF EAST KENTUCKY MIDSTREAM, LLC)	CASE NO.
AND OF ITS COMPLIANCE WITH KRS CHAPTER 278,)	2022-00238
807 KAR CHAPTER 005, AND 49 CFR PARTS 191 AND 192)	

**KENTUCKY FRONTIER GAS, LLC’S RESPONSE TO PUBLIC
COMMENTS OF KENTUCKY OIL & GAS ASSOCIATION**

Comes now Kentucky Frontier Gas, LLC (“Kentucky Frontier”) and offers the following response to the public comments filed by Kentucky Oil & Gas Association (“KOGA”) in this proceeding on April 4, 2023.

As KOGA states in its comments, both East Kentucky Midstream, LLC (“EKM”) and Kentucky Frontier Gas, LLC (“Kentucky Frontier”) were members of KOGA. However, Kentucky Frontier has had to make the decision to not renew its membership for the new membership year in KOGA. This decision was made after the formal conference was held in October. At the formal conference, a witness was presented by EKM and was introduced by EKM’s counsel as a member of KOGA, specifically as the Government Relations Chair for KOGA. Kentucky Frontier was concerned with the organization that it was a member of and paid membership dues to, presenting evidence for another KOGA member against Kentucky Frontier. Kentucky Frontier did not believe that it should continue to pay membership dues to the organization after that incident.

KOGA has now filed comments in this proceeding emphasizing EKM’s position in this matter. Although the comments state that KOGA is not taking one party’s position over the other,

the comments go on to make detailed legal arguments that support EKM in this proceeding and strive to thwart the efforts of Kentucky Frontier to receive fair, just and reasonable rates from EKM for natural gas provided to the customers residing in that section of eastern Kentucky. EKM's counsel is a member of KOGA and is currently listed on KOGA's website as a member of its board. This would indicate that this is a clear conflict of interest for any strident one-sided argument by KOGA on behalf of EKM against Kentucky Frontier.

Furthermore, KOGA's comments come nearly two months after final briefs were filed in this proceeding and the channel for argument was closed to Kentucky Frontier.

Kentucky Frontier requests that the Commission not give weight to the comments filed by KOGA in this proceeding and to instead make its decision based on the facts presented and arguments of the parties within the scheduled time limits, and the relevant statutes and regulations.

Respectfully submitted,

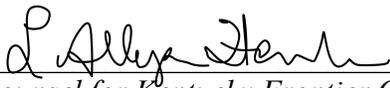


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CERTIFICATE OF SERVICE

This is to certify that the foregoing electronic filing was transmitted to the Commission on April 7, 2023 and that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding. Pursuant to the Commission's July 22, 2021 Order in Case No. 2020-00085 no paper copies of this filing will be filed.



Counsel for Kentucky Frontier Gas, LLC