

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

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

ATTORNEY GENERAL’S INITIAL DATA REQUESTS

Comes now the intervenor, the Attorney General of the Commonwealth of Kentucky, through his Office of Rate Intervention (“Attorney General”), and submits these Data Requests to East Kentucky Midstream, LLC (hereinafter “East Kentucky Midstream” or “EKM”) to be answered by September 26, 2022, and in accord with the following:

- (1) In each case where a request seeks data provided in response to a staff request, reference to the appropriate requested item will be deemed a satisfactory response.
- (2) Identify the witness who will be prepared to answer questions concerning each request.
- (3) Repeat the question to which each response is intended to refer.
- (4) These requests shall be deemed continuing so as to require further and supplemental responses if the companies receive or generate additional information within the scope of these requests between the time of the response and the time of any hearing conducted hereon.
- (5) Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association, be accompanied by a signed certification of the preparer or person supervising the preparation of the response on behalf of the entity that

the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

(6) If you believe any request appears confusing, please request clarification directly from undersigned Counsel for the Office of Attorney General.

(7) To the extent that the specific document, workpaper or information as requested does not exist, but a similar document, workpaper or information does exist, provide the similar document, workpaper, or information.

(8) To the extent that any request may be answered by way of a computer printout, please identify each variable contained in the printout which would not be self-evident to a person not familiar with the printout.

(9) If the company has objections to any request on the grounds that the requested information is proprietary in nature, or for any other reason, notify the Office of the Attorney General as soon as possible, and in accordance with Commission direction.

(10) As used herein, the words "document" or "documents" are to be construed broadly and shall mean the original of the same (and all non-identical copies or drafts thereof) and if the original is not available, the best copy available. These terms shall include all information recorded in any written, graphic or other tangible form and shall include, without limiting the generality of the foregoing, all reports; memoranda; books or notebooks; written or recorded statements, interviews, affidavits and depositions; all letters or correspondence; telegrams, cables and telex messages; contracts, leases, insurance policies or other agreements; warnings and caution/hazard notices or labels; mechanical and electronic recordings and all information so stored, or transcripts of such recordings; calendars, appointment books, schedules, agendas and diary entries; notes or memoranda

of conversations (telephonic or otherwise), meetings or conferences; legal pleadings and transcripts of legal proceedings; maps, models, charts, diagrams, graphs and other demonstrative materials; financial statements, annual reports, balance sheets and other accounting records; quotations or offers; bulletins, newsletters, pamphlets, brochures and all other similar publications; summaries or compilations of data; deeds, titles, or other instruments of ownership; blueprints and specifications; manuals, guidelines, regulations, procedures, policies and instructional materials of any type; photographs or pictures, film, microfilm and microfiche; videotapes; articles; announcements and notices of any type; surveys, studies, evaluations, tests and all research and development (R&D) materials; newspaper clippings and press releases; time cards, employee schedules or rosters, and other payroll records; cancelled checks, invoices, bills and receipts; and writings of any kind and all other tangible things upon which any handwriting, typing, printing, drawings, representations, graphic matter, magnetic or electrical impulses, or other forms of communication are recorded or produced, including audio and video recordings, computer stored information (whether or not in printout form), computer-readable media or other electronically maintained or transmitted information regardless of the media or format in which they are stored, and all other rough drafts, revised drafts (including all handwritten notes or other marks on the same) and copies of documents as hereinbefore defined by whatever means made.

(11) For any document withheld on the basis of privilege, state the following: date; author; addressee; indicated or blind copies; all persons to whom distributed, shown, or explained; and, the nature and legal basis for the privilege asserted.

(12) In the event any document called for has been destroyed or transferred beyond the

control of the company, please state: the identity of the person by whom it was destroyed or transferred, and the person authorizing the destruction or transfer; the time, place, and method of destruction or transfer; and, the reason(s) for its destruction or transfer. If destroyed or disposed of by operation of a retention policy, state the retention policy.

(13) Provide written responses, together with any and all exhibits pertaining thereto, in one or more bound volumes, separately indexed and tabbed by each response, in compliance with Kentucky Public Service Commission Regulations.

(14) “And” and “or” should be considered to be both conjunctive and disjunctive, unless specifically stated otherwise.

(15) “Each” and “any” should be considered to be both singular and plural, unless specifically stated otherwise.

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Respectfully submitted,

DANIEL J. CAMERON
ATTORNEY GENERAL



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Certificate of Service and Filing

Pursuant to the Commission's Orders and in accord with all other applicable law, Counsel certifies that, on September 9, 2022, an electronic copy of the forgoing was served by the PSC electronic filing system to the following.

allyson@hloky.com; jrbentley@mmlk.com; keckert@mcbayerfirm.com;
steve@pipelinegroup.com

this 9th day of September, 2022.

A handwritten signature in blue ink, appearing to read "J. Michael West". The signature is written in a cursive style with a long horizontal stroke at the end.

Assistant Attorney General

Data Requests

1. Confirm that EKM will not terminate natural gas flows to current ratepayers of Kentucky Frontier Gas, LLC (“Kentucky Frontier”).
2. If EKM cannot confirm that it will altogether refrain from terminating natural gas flows currently directed to ratepayers of Kentucky Frontier in the future, discuss the circumstances which might cause such termination.
3. Identify all state and federal regulatory bodies that exercise oversight and/or jurisdiction over EKM and its operations. This inquiry does not call for a legal conclusion, but simply calls for identification of regulators who have asserted current jurisdiction over EKM or to which EKM has submitted to the jurisdiction of those regulators.
4. Discuss the holdings of EKM. Specifically, are EKM’s holdings limited to the assets of the former Jefferson Gas, LLC (“Jefferson Gas”)? Include in your discussion any holdings located outside of the Commonwealth of Kentucky.
5. Provide copies of all contracts and agreements affecting the sale and transfer of Jefferson Gas and/or its assets to EKM.
6. Confirm that EKM is the only supplier of natural gas available to the former customers of Public Gas who are now served by Kentucky Frontier.
7. If other pipelines are available to serve the former customers of Public Gas who are now served by Kentucky Frontier, please identify those pipelines and the ownership of those pipelines.
8. From January 1, 2015 until today, identify the source(s) of the natural gas that has been supplied to the former customers of Public Gas who are now served by Kentucky Frontier. Specifically, identify:
 - a. the seller of the gas;
 - b. the physical location where that natural gas entered the gathering/pipeline system, and the pipelines over which it was transported;
 - c. the amount of natural gas supplied;
 - d. any sums Jefferson Gas, and/or its successor EKM paid for procuring this gas;
 - e. the prices Jefferson Gas and/or its successor EKM charged to Public Gas for this gas, for each month since January 1, 2015; and
 - f. any transportation costs charged by Jefferson Gas, and/or EKM, to Public Gas.

If it is impossible to identify the physical location where the natural gas entered the gathering/pipeline system, identify where it entered EKM’s system from another

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transmission line and identify whether that transmission line is an interstate transmission line.

9. For all gas supplied to the former customers of Public Gas who are now served by Kentucky Frontier, for the years 2015 through 2022, calculate for each year the annual percentage of natural gas that was produced locally and entered directly into the lines of EKM and the annual percentage of natural gas that was purchased and/or obtained through a transaction with a natural gas wholesaler.
10. For all gas supplied to the former customers of Public Gas who are now served by Kentucky Frontier, for the years 2015 through 2022 and that was purchased and/or obtained through a transaction with a natural gas wholesaler, identify the annual percentage that passed from interstate transmission pipelines.
11. Identify all customers supplied by EKM through Kentucky Frontier that were Jefferson Gas “farm tap” customers. For those customers, identify:
 - a. The location of the customer;
 - b. Identify the type of EKM line to which that customer is connected, including size and material;
 - c. Identify whether the EKM line to which that customer is connected also connects to a producer of natural gas;
 - d. Identify whether the EKM line to which that customer is connected serves as a necessary connection between a natural gas producer and a EKM transmission line;
 - e. Identify whether the customer is served by a distribution line that connects with a transmission line;
 - f. Indicate whether multiple customers are served by that same distribution line;
 - g. Identify whether the customer paid for the construction, installation, equipment, and pipelines necessary to facilitate the service; and
 - h. Identify whether EKM has serviced those lines in any way since its ownership commenced.
12. Identify whether any pipeline in the EKM system is not regulated for safety. If so, identify those pipeline(s).
13. Identify whether any pipeline in the EKM system is regulated by FERC as to rates. If so, identify the line and provide the citation to the relevant FERC tariff, and a copy of that tariff.
14. Explain whether EKM sells, transports or furnishes gas to members of the public, whether on a wholesale or retail basis, including Columbia Gas. If so, provide monthly volumes sold since EKM acquired Jefferson Gas.
15. Refer to the Kentucky Frontier petition, pp. 6-7. Explain whether EKM agrees that it has

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approximately 200 additional miles of pipeline not reported in the PHMSA report attached
as “Exhibit A” to Kentucky Frontier’s petition.