

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

<i>Electronic</i> Application of East Kentucky	)	Case No.
Midstream, LLC for Approval of a	)	2023-00112
Proposed Tariff under 807 KAR 5:026,	)	
Section 9	)	

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**Filing of Notice Curing Identified Deficiency**

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East Kentucky Midstream, LLC (“EKM”) has endeavored to provide its farm-tap customers with meaningful notice of the proposed tariff rates that complies with the requisites of § 9(4) of 807 KAR 5:026 §9(4). It has done so in the Notice of Proposed Rate Change (Appl. Exh. D) mailed to its customers on May 3, 2023, and in the Supplemental Notice of Proposed Rate Change (Appl. Exh. E) mailed to its customers June 26, 2023. These notices provide its farm tap customers with extensive information in the requisite categories and comparisons between the current and proposed rates and structure in a situation in which the “present” (but not the proposed) recurring rates for minimum bill and usage charge are different each month because they move with the TCo Appalachian Index (*see* Appl. ¶ 6). In Attachment 1 hereto, EKM presents an expanded version of the table from the first Notice to include non-recurring rates and to illustrate the differences when comparing the proposed rates to the rates that have been charged in various months in 2022 and 2023.

EKM is now in receipt of the Commission Staff’s 7/5/23 letter identifying a filing deficiency with respect to the notices, *viz.* that they do “not include a correct estimated increase based on the present and proposed rates ... as dictated by the form provided in 806 KAR 5:026, Section 9(4).” EKM has prepared a replacement notice (Attachment 2 hereto) in accordance with the form provided in § 9(4), including a table with the columnar headings given in that

regulation. The listed present rate for usage and minimum bill is the July 2023 rate being charged this month. Upon receipt of a deficiency-cured letter from Commission Staff, EKM will file the notice in Attachment 2 as a supplement to the Application.

Respectfully submitted,

*/s/ Katherine K. Yunker*

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Proposed Recurring Rate	Rate	Present/Charged rate for the month of:														
		July 2023			June 2023			May 2023			Highest 2022 (June)			Lowest 2022 (January)		
		rate	\$	%	rate	\$	%	rate	\$	%	rate	\$	%	rate	\$	%
For	Rate for															
Customer Charge (per account)	Minimum Bill (per account)															
residential	\$11.00	9.34	1.66	17.8	9.28	1.72	18.5	9.52	1.48	15.5	15.89	(4.89)	(30.8)	11.05	(0.05)	(0.0)
non-residential	\$22.00	9.34	12.66	135.5	9.28	12.72	137.1	9.52	12.48	131.1	15.89	6.11	38.5	11.05	10.95	99.1
Usage Charge (per Mcf)	\$13.00	9.34	3.66	39.2	9.28	3.72	40.1	9.52	3.48	36.6	15.89	(2.89)	(18.2)	11.05	1.95	17.6

Non-Recurring Rates	Proposed	Present	\$ change		% change	
Seasonal/ Temporary Disconnect	\$100.00	NEW (no similar existing charge)	N/A		N/A	
Installation Fee	\$25.00	\$25.00	\$0		0%	
Service Initiation Deposit	\$100.00	\$100.00	\$0		0%	

DATE OF NOTICE: July 19, 2023

**NOTICE OF PROPOSED RATE CHANGE**

East Kentucky Midstream, LLC (“EKM”) has started a case, Case No. 2023-00112, at the Public Service Commission to request an increase in its rates effective for service rendered on and after August 1, 2023. The rates contained in this notice are the rates proposed by EKM. However, the Public Service Commission may order rates to be charged that differ from the rates in this notice.

Any corporation, association, body politic or person may file written comments or a written request for intervention in Case No. 2023-00112 within thirty (30) days of the date of this notice with the Public Service Commission, 211 Sower Boulevard, P.O. Box 615, Frankfort, Kentucky 40602. Copies of the request for an increase in rates may be obtained by contacting EKM at 525 George Road, P.O. Box 565, Betsy Lane, Kentucky 41605. A copy of the request for an increase in rates, filed with the Public Service Commission on May 31, 2023, is available for public inspection at this address as well as online at:

<http://www.psc.ky.gov/Case/ViewCaseFilings/2023-00112>.

<b>Present / Proposed Charge</b>	<i>Present Rate</i> <sup>[1]</sup>	<i>Proposed Rate</i>	<i>Estimated Monthly Increase per Customer</i> <sup>[2]</sup>
Minimum Bill / Customer Charge (per month, per account)			
Residential	9.52	11.00	\$ 1.66/month; estimate based on one account per customer, zero usage <sup>[3]</sup>
Non-Residential	9.52	22.00	\$12.66/month; estimate based on one account per customer, zero usage
Usage Charge per Mcf used above 1 Mcf / Usage Charge per Mcf used	9.52	13.00	\$25.64/month; estimate based on 4 Mcfs used per month by a <u>residential</u> customer (presently, 1 Mcf is included in minimum bill) \$58.60/month; estimate based on 10 Mcfs used per month by a <u>non-residential</u> customer (presently, 1 Mcf is included in minimum bill)

<b>Non-Recurring Charge</b>	<i>Present Rate</i> <sup>[1]</sup>	<i>Proposed Rate</i>	<i>Estimated Monthly Increase per Customer</i> <sup>[2]</sup>
Seasonal/Temporary Disconnect (per occurrence)	-- (none)	\$100.00	\$8.33/month (average); estimate based on one (1) seasonal/ temporary disconnect per year
Installation Fee (one-time)	\$25.00	\$25.00	No change
Service Initiation Deposit, waivable by EKM (per initiation of service)	\$100.00	\$100.00	No change

[1] *Present Rates* are those charged in July 2023; rates were different in each preceding month, including in May 2023 when EKM submitted its Application for approval of the proposed rates to the PSC. Presently, rates for Minimum Bill and Usage change each month because they follow the month's Inside FERC TCo Appalachian Index.

[2] *Estimated Monthly Increase per Customer* is calculating using on average usage for each of the proposed customer classes, as applicable.

[3] In summer months (July-August), many of EKM's residential customers have zero usage. In July 2022, approximately 55% of EKM's residential customer accounts had zero usage and were charged only the then-current Minimum Bill rate. Under the proposed rates, a zero-usage customer would be charged only the Customer Charge.

EKM has sent two earlier notices about the proposed rate change, a Notice dated May 3, 2023, and a Supplemental Notice dated June 26, 2023. The proposed rates are the same in all these notices; the other notices give additional information about the proposed rate change and comparisons of the proposed rates with rates charged before July 2023.