

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

IN THE MATTER OF:

ELECTRONIC APPLICATION OF COLUMBIA GAS)	
OF KENTUCKY, INC. TO CONTINUE ITS GAS COST)	CASE NO.
INCENTIVE ADJUSTMENT PERFORMANCE BASED)	2024-00012
RATE MAKING MECHANISM)	

MOTION FOR DEVIATION

Comes now Columbia Gas of Kentucky, Inc., (“Columbia Kentucky”) by and through the undersigned counsel, pursuant to 807 KAR 5:001, Section 22 and other applicable law, and as grounds for its Motion for Deviation in the above-styled proceeding respectfully states as follows:

1. On January 31, 2024, Columbia Kentucky filed an application to extend its Gas Cost Adjustment Performance Based Rate (“PBR”) mechanism (“PBR Application”).
2. As part of the PBR Application, Columbia Kentucky requested a decision by March 31, 2024, and provided more than the thirty days’ required notice to the Commission as required by KRS 278.180(1).
3. The Commission issued an Order on March 1, 2024, rejecting Columbia Kentucky’s PBR Application.

4. Columbia Kentucky moves the Commission to allow Columbia Kentucky's renewed PBR to take effect March 31, 2024, and allow Columbia Kentucky to give less than thirty days' notice to the Commission as permitted by KRS 278.180(1).

5. KRS 278.180(1) allows the Commission to shorten the notice requirement to not less than twenty days upon good cause shown.

6. Columbia Kentucky states that its original Application was filed on January 31, 2024, which provided the Commission with sixty days' notice for the March 31, 2024, expiration of the PBR.

7. With the Commission's Order being issued on March 1, 2024, Columbia Kentucky is unable to provide the thirty days' notice as required in KRS 278.180(1) and would request a deviation to be allowed to provide 23 days' notice to the Commission pursuant to the provision in KRS 278.180(1) allowing the Commission to shorten the notice requirement to not less than twenty days upon good cause shown.

8. Columbia Kentucky does not believe that customer notice is required for its amended PBR Application since it is a renewal of its existing PBR without modification. Columbia Kentucky is not changing or initiating a charge, fee or rule regarding the provision of service that will affect the amount that a customer pays for service or the quality, delivery, or rendering of a customer's service.¹ However, if the Commission


¹ 807 KAR 5:011, Section 8.

disagrees, Columbia Kentucky requests a deviation as prescribed in 807 KAR 5:011 Section 15, from the customer notice requirements contained in 807 KAR 5:011 Section 8.

WHEREFORE, based on the foregoing, Columbia Kentucky requests a deviation of the 30 days' notice requirement in KRS 278.180(1) pursuant to 807 KAR 5:001, Section 22. Further, if the Commission deems the customer notice requirements of 807 KAR 5:011 Section 8 are required for Columbia Kentucky's amended application, then it requests a deviation pursuant to 807 KAR 5:011 Section 15.

Dated this 8th day of March 2024.

Respectfully submitted,



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CERTIFICATE OF SERVICE

This is to certify that foregoing electronic filing was transmitted to the Commission on March 8, 2024; that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding; and that pursuant to the Commission's July 22, 2021 Order in Case No. 2020-00085, no paper copies of the filing will be made.

Heather Temple

Counsel for Columbia Gas of Kentucky, Inc.