

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

In the matter of: : CASE NO. 2024-00092

THE ELECTRONIC APPLICATION OF :
COLUMBIA GAS OF KENTUCKY, INC. :
FOR AN ADJUSTMENT OF RATES; :
APPROVAL OF DEPRECIATION STUDY; :
APPROVAL OF TARIFF REVISIONS; AND :
OTHER RELIEF :

**INTERSTATE GAS SUPPLY, INC.’S (“IGS”) AND CONSTELLATION NEW ENERGY-
GAS DIVISION, LLC (“CNEG”) MOTION TO INTERVENE**

Come Interstate Gas Supply, Inc. (“IGS”) and Constellation New Energy – Gas Division, LLC (“CNEG”) pursuant to 807 KAR 5:001 Section 4(11), KRS 278.310 and KRS 278.040(2), by counsel, and move to intervene in this action. In support of this Motion, IGS and CNEG state as follows:

On or about May 16, 2024, Columbia Gas of Kentucky, Inc. (“Columbia”) filed the above referenced application. IGS is an active supplier in the Choice Program and supplies tens of thousands of natural gas customers through the Choice Program. IGS is an Ohio Corporation with its principal office being at 6100 Emerald Parkway, Dublin, Ohio 43016. Constellation New Energy – Gas Division, LLC (“CNEG”) is an active supplier in the Choice Program and supplies several thousand customers through the Choice Program. CNEG is a Kentucky limited liability company with its natural gas office located at 9400 Bunsen Parkway, Suite 100, Louisville, Kentucky 40220.

The Choice Program allows Columbia customers to decide who delivers natural gas for their home or business. IGS is the largest competitive supplier in the Choice Program and, supplies natural gas to residential and small commercial customers in the Columbia service territory. CNEG comparably has a smaller market share in the Choice Program but through its sister

companies annually delivers 730 billion cubic feet of natural gas to customers making it part one of the ten largest natural gas marketers in the United States.

The application proposed by Columbia involves addressing current and proposed tariff changes (807 KAR 5:001 § 16(1)(b)) wherein Columbia's Gas Cost Adjustment (GCA) tariff allows for Columbia to recover from all rate schedules the Gas Cost Uncollectible Rate (GCUR) on a dollar-per-Mcf basis, which is calculated by multiplying the Expected Commodity Gas Cost times the uncollectible accrual rate used to establish rates in Columbia's most recent rate case. Said another way, upon information and belief, Columbia included the GCUR within its forecasted test period (807 KAR 5:001 § 16) in this application and therefore it is part of Columbia's request for a rate adjustment which would permit Columbia to collect from Choice customers uncollectible expenses exclusively related to commodity costs associated with default service. The GCA will be added or subtracted from the tariff rates prescribed by the Commission Order on the Company's latest rate case and will be included in the tariff rates stated on each applicable rate sheet. Conversely, the SVGTS tariff (Choice Program) provides that gas marketers such as IGS and CNEG will receive 98% of their revenues from Columbia (representing a 2% discount on payments from Choice customers). Inasmuch, and upon information and belief, Columbia charges all customers including Choice Program customers for the GCUR within its GCA. Meanwhile, upon information and belief, Columbia pays the marketers with a 2% discount yet socializes the gas (commodity) cost uncollectible rates (GCUR) and which generally increases costs to Choice Program participants.

This application through its tariffs, will directly impact IGS and CNEG, current Choice Program customers, and future Choice Program customers. CNEG and IGS offer different products to their customers in the Choice Program sometimes locking in rates for significant time

periods and possible changes looming to the Choice Program tariffs impacts both the marketers (IGS and CNEG) and the customers. Moreover, both IGS and CNEG bring a broad spectrum of experience to this proceeding which is not otherwise adequately represented by any other party or prospective party in this above-captioned case and their participation will not unduly complicate or disrupt the proceeding.

Based upon this uncollectible expense concern, IGS and CNEG have a special interest in the “rates” and “services” of Columbia in this specific proceeding. KRS 278.010(12); KRS 278.010(13)(“[a]nyone seeking to intervene must have an interest in the ‘rates’ or ‘services’ of a utility.”). Accordingly, IGS and CNEG have a special interest in these proceedings.

There is no party that can represent IGS and CNEG’s interest in this proceeding other than IGS and CNEG. Indeed, no other supplier or trade association representing suppliers has sought intervention in this proceeding. Additionally, this motion is timely and IGS and CNEG intend to play a constructive role in this proceeding.

The attorneys for IGS and CNEG authorized to represent them in this proceeding and to take service of all documents are:

Matthew R. Malone, Esq.
Aaron D. Reedy, Esq.
Hurt, Deckard & May PLLC
106 W. Main Street; Suite 401
Lexington, Kentucky 40507
(859) 254-0000 (office)
(859) 254-4763 (facsimile)
mmalone@hdmfirm.com
areedy@hdmfirm.com

Wherefore, IGS and CNEG respectfully request that they be permitted to intervene in the above-referenced matter.

Respectfully submitted,

HURT, DECKARD & MAY PLLC

/s/Matt Malone

Matthew R. Malone (KBA 90508)
Aaron D. Reedy (KBA 90523)
106 W. Vine Street; Suite 401
Lexington, Kentucky 40507
(859) 254-0000 (office)
(859) 254-4763 (facsimile)

Counsel for the Petitioner,
INTERSTATE GAS SUPPLY, INC.

And

**CONSTELLATION NEW ENERGY -
GAS DIVISION, LLC**

CERTIFICATE OF SERVICE

I hereby certify that IGS and CNEG's June 14, 2024 electronic filing is a true and accurate copy of IGS and CNEG's pleading and Read 1st Document to be filed in paper medium; that the electronic filing has been transmitted to the Commission on June 14, 2024; that an original and one copy of the filing will not be mailed postage prepaid to the Commission due to pandemic rules; that there are currently no parties excused from participation by electronic service; and that, on June 14, 2024, electronic mail notification of the electronic filing is provided to all parties of record.

/s/Matt Malone

Attorney for Interstate Gas Supply, Inc
And Constellation New Energy, Gas Division, LLC