

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF DELTA)	
NATURAL GAS COMPANY, INC. FOR AN)	CASE NO. 2024-00346
ADJUSTMENT OF RATES)	

**DELTA NATURAL GAS COMPANY, INC. PROOF OF PUBLICATION AND
MOTION FOR DEVIATION FROM HEARING NOTICE REQUIREMENTS**

Pursuant to 807 KAR 5:001, Section 22, Delta Natural Gas Company, Inc. (“Delta” or the “Company”) hereby provides proof of publication and moves the Kentucky Public Service Commission (“Commission”) for a deviation from the hearing notice requirements contained in 807 KAR 5:001, Section 9(2).

1. On November 25, 2024, Delta filed an Application seeking an adjustment of its natural gas rates and other approvals. On December 5, 2024, the Commission established a procedural schedule to consider the proposed rates. By Order dated January 27, 2025, the Commission scheduled a hearing in this matter for April 17, 2025.

2. Ordering paragraph 6 of the Commission’s Order dated January 27, 2025 directs Delta to give notice of the hearing in compliance with 807 KAR 5:001, Section 9(2)(b) and include in the notice certain statements about the streaming of the hearing and public comments.

3. 807 KAR 5:001, Section 9(2)(b) requires that notice by newspaper publication be published “at least one (1) time and not less than seven (7) nor more than twenty-one (21) days prior to the hearing in a newspaper of general circulation in the areas that will be affected.” On March 25, 2025, Delta requested the Kentucky Press Association run the hearing notice no earlier than March 27, 2025, and no later than April 10, 2025. Delta provided Kentucky Press the list of

publications in which the notice needed to be published. Delta filed this request into the record on March 25, 2025.

4. A copy of the Notarized Proof of Publication from the Kentucky Press attesting to the dates the notice was published is attached as Exhibit 1.

5. Delta received the Notarized Proof of Publication from Kentucky Press on April 15, 2025. In reviewing the proof, Delta noticed that no proof of publication was provided for the Williamsburg News Journal and the Winchester Sun. In response to Delta's inquiry, Kentucky Press stated that it overlooked those publications on Delta's list and thus failed to request those two newspapers to publish the notice. A copy of the email exchange between Delta's representatives and Kentucky Press is attached as Exhibit 2.

6. Good cause exists to grant a deviation from 807 KAR 5:001, Section 9(2) and to accept the publication of the hearing notice as sufficient. Delta requested that Kentucky Press coordinate publishing the notice within the required timeframe and made that request sufficiently in advance of the period in which the notice needed to run. Because Kentucky Press was unaware of its error until Delta examined the Notarized Proof of Publication that it received on April 15, 2025, there was no opportunity for either newspaper to publish the notice prior to the April 17, 2025 hearing. All other newspapers in Delta's service area published the notice within the required timeframe, including the Lexington Herald Leader, which is a newspaper with large circulation in Delta's service territory.

WHEREFORE, Delta respectfully requests that the Commission accept the proof of publication and grant a deviation pursuant to 807 KAR 5:001, Section 22, from 807 KAR 5:001, Section 9(2) to accept the publication of the hearing notice as sufficient.

Dated: April 15, 2025

Respectfully submitted,



Monica H. Braun
Mary Ellen Wimberly
monica.braun@skofirm.com
maryellen.wimberly@skofirm.com
Stoll Keenon Ogden PLLC
300 West Vine Street, Suite 2100
Lexington, KY 40507
Telephone: (859) 231-3000
Facsimile: (859) 259-3503
Counsel for Delta Natural Gas Company, Inc.

CERTIFICATE OF SERVICE

In accordance with the Commission's Order of July 22, 2021 in Case No. 2020-00085 (Electronic Emergency Docket Related to the Novel Coronavirus COVID-19), this is to certify that the electronic filing has been transmitted to the Commission on April 15, 2025; and that there are currently no parties in this proceeding that the Commission has excused from participation by electronic means.



Counsel for Delta Natural Gas Company, Inc.

NOTARIZED PROOF OF PUBLICATION

STATE OF KENTUCKY

COUNTY OF FRANKLIN

Before me, a Notary Public, in and for said County and State, this 14th day of

April, 2025, came Holly Willard personally known to me, who being

duly sworn, states as follows: that she is the Bookkeeping Assistant of the

Kentucky Press Service Inc. and that she has personal knowledge of the contents of this

affidavit; and that the publications included on the attached list published the Legal Notice for

Delta Natural Gas.

Signed Holly Willard

Notary Public Bonnie A Howard

My commission expires 9-18-2028
KYNP # 14119



101 Consumer Lane - Frankfort, KY 40601
(502) 223-8821 FAX (502) 226-3867

Holly Willard
Bookkeeping Assistant

hwillard@kypress.com
www.kypress.com

**List of newspapers running the notice for Delta Natural Gas Notice #2024-00346
tearsheets provide proof of publication:**

Barbourville Mountain Advocate—4/2
Beattyville Enterprise—4/3
Berea Citizen—4/5
Corbin Times Tribune—4/3
Cromona Letcher Co. News Press—4/9
Flemingsburg Gazette—4/2
Hazard Herald—4/3
Hindman Troublesome Creek Times—4/10
Hyden Leslie Co. News—4/3
Inez Mountain Citizen—4/2
Irvine Estill Co. Tribune—4/2
Lancaster Central Record—4/3
Lexington Herald Leader—4/2
London Sentinel Echo—4/2
Louisa Big Sandy News—4/2
Manchester Enterprise—4/2
Maysville Ledger Independent—4/2
McKee Jackson Co. Sun—4/2
Menifee County News—4/3
Middlesboro News—4/2
Mt. Sterling Advocate—4/3
Nicholasville Jessamine Journal—4/3
Owingsville Bath Co. News-Outlook—4/3
Paintsville Herald—4/2
Paris Bourbon Co. Citizen—4/3
Pikeville Appalachian News-Express—4/1
Pineville Sun—4/2
Prestonsburg Floyd County Chronicle & Times—4/2
Richmond Register—4/3
Robertson County Mercury—4/2

Rowan County News—4/3
Salyersville Independent—4/3
Stanford Interior Journal—4/3
Three Forks Tradition—4/2
Whitesburg Mountain Eagle—4/2

Molly Loy

From: Rachel McCarty <rmccarty@kypress.com>
Sent: Tuesday, April 15, 2025 11:24 AM
To: Molly Loy; Holly Willard
Subject: RE: More tearsheets for Delta Natural Gas (#25041SD0)



It was my mistake for Williamsburg and Winchester. They were above your signature on next page and I did not catch them.

What do you need me to do?

From: Molly Loy <molly.loy@skofirm.com>
Sent: Tuesday, April 15, 2025 11:20 AM
To: Holly Willard <hwillard@kypress.com>; Rachel McCarty <rmccarty@kypress.com>
Subject: RE: More tearsheets for Delta Natural Gas (#25041SD0)

I would change it to the date that is reflected on the tear sheet (4/5). Rachel – attaching the email sent regarding the publications.

Molly Loy <i>Paralegal Team Leader</i>	Direct: 859.231.3959 Mobile: 859.576.7860
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From: Holly Willard <hwillard@kypress.com>
Sent: Tuesday, April 15, 2025 11:12 AM
To: Molly Loy <molly.loy@skofirm.com>; Rachel McCarty <rmccarty@kypress.com>
Subject: RE: More tearsheets for Delta Natural Gas (#25041SD0)

I don't see that Williamsburg and Winchester were scheduled. I have copied Rachel on the email and she can answer that question for you.

As for Berea, they are a Wednesday publication and 4/5 is a Saturday date. Do you want the affidavit to reflect the Wednesday date or the Saturday date.
For Cromona, I will get that date changed.

From: Molly Loy <molly.loy@skofirm.com>
Sent: Tuesday, April 15, 2025 11:05 AM
To: Holly Willard <hwillard@kypress.com>
Subject: RE: More tearsheets for Delta Natural Gas (#25041SD0)

Thanks Holly. Looks like I still need the Williamsburg News Journal and the Winchester Sun. Also, if you can update your newspaper list:

1. Berea Citizen should be 4/5

2. Cromona Letcher Co. News Press should be 4-9



Molly Loy
Paralegal Team Leader

molly.loy@skofirm.com
Direct: 859.231.3959
Mobile: 859.576.7860
Main: 859.231.3000

Stoll Keenon Ogden PLLC
300 W. Vine St., Suite 2100
Lexington, KY 40507

Louisville | Lexington | Indianapolis | Evansville | Frankfort | Jeffersonville

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From: Holly Willard <hwillard@kypress.com>
Sent: Tuesday, April 15, 2025 9:34 AM
To: Molly Loy <molly.loy@skofirm.com>
Subject: More tearsheets for Delta Natural Gas (#25041SD0)

Here are the final tearsheets.

Please let me know if you are missing any of them and I will resend.

Thanks!!!

Holly Willard
Kentucky Press Service
101 Consumer Lane
Frankfort, KY 40601
Phone: (502) 223-8821
Fax: (502) 226-3867