

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF KENTUCKY)	
FRONTIER GAS, LLC FOR AN ALTERNATIVE)	CASE NO.
RATE FILING PURSUANT TO 807 KAR 5:0076)	2025-00277
AND OTHER GENERAL RELIEF)	

**THE ATTORNEY GENERAL’S RESPONSE TO
KENTUCKY FRONTIER GAS, LLC’s
MOTION FOR REHEARING**

The Intervenor, the Attorney General of the Commonwealth of Kentucky, through his Office of Rate Intervention ("Attorney General"), submits the following response to Kentucky Frontier Gas, LLC's (hereinafter "Frontier" or "Company") motion for rehearing of the Commission's April 29, 2026 Final Order ("Final Order") in the above-styled matter. The Attorney General requests that the Commission deny Frontier's pending motion. If this response is silent to any particular issue raised in the Company's motion for rehearing, that silence should not be construed as acquiescence, approval, or agreement to the same.

ARGUMENT

KRS 278.400 limits a rehearing to evidence not readily discoverable at the time of the original hearing, to correct any material errors or omissions, or to correct findings that are unreasonable or unlawful.¹ A Final Order is deemed unreasonable only when, “the evidence presented leaves no room for difference of opinion among reasonable minds.”² Additionally,

¹ See Case No. 2021-00214, *Electronic Application of Atmos Energy Corporation for an Adjustment of Rates* (Ky. PSC June 24, 2022), Order, pages 1 - 2; Case No. 2021-00365, *Electronic Application of Kenergy Corp. for a Certificate of Public Convenience and Necessity for the Construction of a High-Speed Fiber Network for Approval of the Leasing of the Network’s Excess Capacity to an Affiliate to be Engaged in the Provision of Broadband Service to Unserved and Underserved Households and Businesses of the Commonwealth* (Ky. PSC May 19, 2022), Order, page 1; See also KRS 278.430.

² *Energy Regulatory Comm’n v. Kentucky Power Co.*, 605 S.W.2d 46, 50 (Ky. App. 1980).

a Commission Order can only be unlawful if it violates state and federal statute or constitutional provisions.³ Furthermore, a motion for rehearing does not present parties with the opportunity to relitigate a matter fully address in the original Commission Order.⁴

The Attorney General contends that Frontier has failed to meet the burden of proof required for rehearing. Frontier has submitted no new evidence. Furthermore, the Commission's Final Order contains no material errors or omissions that would call its reasonableness into question; nor does it in any way violate state or federal statutes. The Commission's determination regarding rate design was not in error, unreasonable, or unlawful. Frontier is merely attempting to relitigate rate design, a matter that was fully addressed and decided by the Commission in its Final Order. Any desired changes to rate design should be properly raised in a future rate case, not through a motion for rehearing.

Therefore, pursuant to KRS 278.400, the Commission should deny Frontier's motion for rehearing regarding rate design.

CONCLUSION

WHEREFORE, the Attorney General respectfully requests that the Commission deny Frontier's motion for rehearing in accordance with his response as set forth herein.

³ *Public Service Comm'n v. Conway*, 324 S.W.3d 373, 377 (Ky. 2010); *Public Service Comm'n v. Jackson County Rural Elec. Coop. Corp.*, 50 S.W.3d 764, 766 (Ky. App. 2000); *National-Southwire Aluminum Co. v. Big Rivers Elec. Corp.*, 785 S.W.2d 503, 510 (Ky. App. 1990).

⁴ See Case No. 2021-00214, *Electronic Application of Atmos Energy Corporation for an Adjustment of Rates* (Ky. PSC June 24, 2022), Order at 2; Case No. 2021-00365, *Electronic Application of Kenergy Corp. for a Certificate of Public Convenience and Necessity for the Construction of a High-Speed Fiber Network for Approval of the Leasing of the Network's Excess Capacity to an Affiliate to be Engaged in the Provision of Broadband Service to Unserved and Underserved Households and Businesses of the Commonwealth* (Ky. PSC May 19, 2022), Order, page 2.

Respectfully submitted,

RUSSELL COLEMAN
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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 May 21, 2026 an electronic copy of the foregoing was served via the Commission's electronic filing system.

This 21st day of May, 2026.

A handwritten signature in blue ink, appearing to read "Thomas John Lee".

Assistant Attorney General