

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF CITIPOWER, LLC FOR (1))	
AN ADJUSTMENT OF RATES PURSUANT TO)	
807 KAR 5:076; (2) APPROVAL FOR A)	CASE NO.
CERTIFICATE OF PUBLIC CONVENIENCE)	2019-00109
AND NECESSITY TO PURCHASE PIPELINE)	
AND OTHER RELATED ASSETS; AND (3))	
APPROVAL OF FINANCING)	

ORDER

On March 29, 2019, Citipower, LLC (Citipower), tendered an application requesting to adjust its rates pursuant to the procedures set forth in 807 KAR 5:076, for a Certificate of Public Convenience and Necessity (CPCN) to acquire an existing pipeline and for authority to obtain financing to acquire the existing pipeline. At the time of filing, Citipower requested a deviation that permitted it to file a request for a rate adjustment pursuant to 807 KAR 5:076 with a request for a CPCN and financing approval. The Commission granted that motion but simultaneously identified some deficiencies in Citipower's application that needed to be corrected. On May 31, 2019, Citipower filed the information necessary to correct those deficiencies and that date shall be considered the filed date of Citipower's Application.¹

Pursuant to KRS 278.300(2) the Commission is required to rule on applications for financing within 60 days of filing unless it is necessary for good cause to continue the

¹ No action is necessary to suspend the effective date of Citipower's proposed rates for gas service. Pursuant to 807 KAR 5:076, Section 7(1) , an applicant who applies for a rate adjustment pursuant to the procedures set forth in 807 KAR 5:076 may not place its proposed rates into effect until the Commission approves those rates or six months from the date the application is accepted for filing.

application for longer than 60 days. The complexity of this case arising from combining a request for a CPCN, a request for financing, and an adjustment of rates make it necessary for the Commission to continue the time in order to fully investigate all the issues.

Pursuant to 807 KAR 5:076, Section 11, the Commission hereby states that a staff report will not be issued in this proceeding. The information needed in this case will be obtained through the application and Commission Staff's requests for information. Additionally, Citipower or any party to this proceeding may request a formal hearing pursuant to the procedural schedule appended hereto.

IT IS THEREFORE ORDERED that:

1. The procedural schedule set forth in the Appendix to this Order shall be followed.
2. a. Responses to requests for information shall be appropriately bound, tabbed, and indexed and shall include the name of the witness responsible for responding to questions related to the information provided, with copies to all parties of record, and the original and six copies to the Commission.
 - b. Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

c. Any party shall make timely amendment to any prior response if it obtains information which indicates that the response was incorrect when made or, though correct when made, is not incorrect in any material respect.

d. For any request to which a party fails or refuses to furnish all or part of the requested information, the party shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

e. Careful attention should be given to copied material to ensure that it is legible. When the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this request.

f. A party filing a paper containing personal information shall, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the paper so that personal information cannot be read.

3. As set forth in 807 KAR 5:001, Section 4(11)(a), a person requesting permissive intervention in a Commission proceeding is required to demonstrate either (1) a special interest in the proceeding which is not adequately represented in the case, or (2) that the person requesting permissive intervention is likely to present issues or develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings. Further, KRS 278.040(2) requires that a person seeking intervention have an interest in the rates or service of a utility, as those are the only matters that are subject to the Commission's jurisdiction. Therefore, any person requesting to intervene in a Commission proceeding must state with specificity the person's special interest that is not otherwise adequately represented, or the issues

and facts that the person will present that will assist the Commission in fully considering the matter. A mere recitation of the quantity of utility service consumed by the movant or a general statement regarding a potential impact of possible modification of rates will not be deemed sufficient to establish a special interest. In addition, any motion to intervene filed after July 15, 2019, shall also show good cause for being untimely. If the untimely motion is granted, the movant shall accept and abide by the existing procedural schedule.

4. The Commission will extend the statutory application period for the financing portion of the application an additional 60 days, up to and through September 27, 2018, to further investigate the application.

5. The Commission does not look favorably upon motions for continuance. Accordingly, motions for extensions of time with respect to the schedule herein shall be made in writing and will be granted only upon a showing of good cause.

6. Nothing contained herein shall prevent the Commission from entering further Orders in this matter.

By the Commission

ENTERED
JUL 01 2019
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:


Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2019-00109 DATED

JUL 01 2019

Requests for intervention shall be filed no later than	07/05/19
Initial requests for information upon Citipower shall be filed no later than	07/08/19
Citipower shall file responses to initial requests for information no later than	07/22/19
Supplemental requests for information upon Citipower shall be filed no later than	08/05/19
Citipower shall file responses to supplemental requests for information no later than	08/19/19
A request for a formal hearing or statement that this case may be submitted based on the existing record shall be filed later than	08/26/19

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