

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF COLUMBIA)	
GAS OF KENTUCKY, INC. TO EXTEND ITS)	CASE NO.
GAS COST INCENTIVE ADJUSTMENT)	2020-00378
PERFORMANCE BASED RATE MAKING)	
MECHANISM)	

ORDER

On November 30, 2020, Columbia Gas of Kentucky, Inc. (Columbia Kentucky) filed an application requesting the modification and extension of its Gas Cost Adjustment Performance-Based Ratemaking (PBR) mechanism, which is set to expire on March 31, 2021. Columbia Kentucky filed a report on the results of the last five years of its PBR mechanism with its application, and argues that the report justifies extending the PBR mechanism for an additional three years. Based on that report, Columbia Kentucky requests that its PBR mechanism be extended for three years from April 1, 2024.

Having reviewed Columbia Kentucky's application and being otherwise sufficiently advised, the Commission finds that a procedural schedule should be established to investigate Columbia Kentucky's PBR mechanism and the reasonableness of the proposed extension. The procedural schedule is attached as an Appendix to this Order and incorporated herein. The Commission further finds, as indicated in the procedural schedule, that it needs additional time beyond March 31, 2021 to review the proposed three-year extension in this matter. Thus, Columbia Kentucky's current PBR, with no change to any aspect of its calculation, should be approved for continued use pending a final Order in this proceeding.

IT IS THEREFORE ORDERED that:

1. Columbia Kentucky shall continue to use its current PBR mechanism until the Commission issues a final Order addressing Columbia Kentucky's request for a three-year extension of its PBR in the pending case.

2. The procedural schedule set forth in the Appendix to this Order shall be followed.

3. a. Responses to requests for information in paper medium shall be appropriately bound, tabbed, and indexed, with the original and an electronic version to the Commission. Electronic documents shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked. Each response shall include the name of the witness responsible for responding to the questions related to the information provided. .

b. Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or an 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 that indicates the response was incorrect when made or, though correct when made, is now 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, that 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.

4. Any party filing a paper with the Commission shall file an original in paper medium and an electronic copy in accordance with the electronic filing procedures set forth in 807 KAR 5:001, Section 8, and shall also file the original in paper medium, consistent with the requirements discussed in ordering paragraph 10 herein below. The original in paper medium shall be appropriately bound, tabbed, and indexed. Electronic documents shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked.

5. 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 must 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 February 1, 2021, 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.

6. Columbia Kentucky shall give notice of the hearing in accordance with the provisions set out in 807 KAR 5:001, Section 9(2). In addition, the notice of hearing shall include the following statement: "This hearing will be streamed live and may be viewed on the PSC website, psc.ky.gov"; and "Public comments may be made at the beginning of the hearing. Those wishing to make oral public comments may do so by following the instructions listed on the PSC website, psc.ky.gov." At the time publication is requested, Columbia Kentucky shall forward a duplicate of the notice and request to the Commission.

7. At any public hearing in this matter, neither opening statements nor summarization of direct testimonies shall be permitted.

8. Pursuant to KRS 278.360 and 807 KAR 5:001, Section 9(9), a digital video recording shall be made of any hearing.

9. 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.

10. The Commission directs the parties to the Commission's March 16, 2020 and March 24, 2020 Orders in Case No. 2020-00085¹ regarding filings with the Commission. The Commission expects the original documents to be filed with the Commission within 30 days of the lifting of the current state of emergency.

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

¹ Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC Mar. 16, 2020), Order at 5-6. Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC Mar. 24, 2020), Order at 1-3.

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2020-00378 DATED JAN 27 2021

- A person interested in becoming a party to this proceeding shall file a motion to intervene with the Commission pursuant to 807 KAR 5:001, Section 4(11), no later than 02/01/2021
- All initial requests for information to Columbia Kentucky shall be filed no later than 02/09/2021
- Columbia Kentucky shall file responses to initial requests for information no later than 02/23/2021
- All supplemental requests for information to Columbia Kentucky shall be filed no later than 03/09/2021
- Columbia Kentucky shall file responses to supplemental requests for information no later than 03/23/2021
- Intervenor testimony, if any, in verified prepared form, shall be filed no later than..... 04/06/2021
- All requests for information to Intervenors shall be filed no later than 04/20/2021
- Intervenors shall file responses to requests for information no later than 05/04/2021
- Columbia Kentucky shall file, in verified form, its rebuttal testimony no later than 05/18/2021
- Columbia Kentucky or any Intervenor shall request either a hearing or file a statement that this case may be submitted for a decision based on the existing record no later than 05/25/2021

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