

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC INVESTIGATION OF COLUMBIA	)	CASE NO.
GAS OF KENTUCKY, INC.'S FILING OF	)	2020-00402
CUSTOMER CHOICE SURVEY RESULTS	)	

ORDER

On June 19, 2017, the Commission issued its Order in Case No. 2017-00115<sup>1</sup> which required, among other things, that Columbia Gas of Kentucky, Inc. (Columbia Kentucky), file a CHOICE Program Status Report (Status Report) including details of education activities in which it or participating marketers have engaged, the amount Columbia Kentucky spent on each activity, and customer response to such activities. The Status Report was required to be filed 18 months before the expiration of the CHOICE program extension approved in that Order. The Commission stated that the Status Report would be reviewed in a case initiated by the Commission in order to rule on the Status Report's adequacy. The Order further required that the Status Report filing include the format of a survey to follow up on the one conducted as part of Case No. 2012-00132,<sup>2</sup> and stated that the survey questions should receive Commission approval and be conducted between the closing of the 2020 Status Report case and Columbia Kentucky's filing for approval of its next program extension. Columbia Kentucky was directed to file

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<sup>1</sup> Case No. 2017-00115, *Tariff Filing of Columbia Gas of Kentucky, Inc. to Extend its Small Volume Gas Transportation Service* (Ky. PSC June 19, 2017).

<sup>2</sup> Case No. 2012-00132, *Columbia Gas of Kentucky, Inc. Filing of Customer Choice Survey Results* (Ky. PSC Feb. 8, 2013).

its application for approval to extend the CHOICE program six months before the program expires on March 31, 2022, or no later than September 30, 2021.

In compliance with the Commission's June 19, 2017 Order, on September 30, 2020, Columbia Kentucky filed the required Status Report with the Commission. The Commission finds that this proceeding should be initiated to investigate the education efforts implemented by Columbia Kentucky and participating marketers, to rule on the adequacy of the September 30, 2020 CHOICE program Status Report, and to approve questions for the survey which is to be conducted prior to September 30, 2021.

The Commission further finds that a procedural schedule should be established to ensure the orderly review of issues surrounding Columbia Kentucky's CHOICE program. The procedural schedule is attached as an Appendix to this Order.

IT IS THEREFORE ORDERED that:

1. The procedural schedule set forth in the Appendix to this Order, which is attached hereto and incorporated herein, shall be followed.

2. a. Responses to requests for information shall be appropriately bound, tabbed and indexed, with the original and an electronic version to 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. 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. A 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. Any 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 the personal information cannot be read.

3. 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. 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. The Commission directs the parties to the Commission's March 16, 2020 and March 24, 2020 Orders in

Case No. 2020-00085<sup>3</sup> 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.

4. If a party requests a hearing or informal conference, then the party shall make the request in its written comments and state the reason why a hearing or informal conference is necessary.

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 the person will present that will assist the Commission in fully considering the matter. A mere recitation of the quantity of water 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 the date established in the procedural schedule attached as an

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<sup>3</sup> 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 to this Order 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 forth 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](http://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](http://psc.ky.gov)." At the time publication is requested, Columbia Kentucky shall forward a duplicate of the notice and request to the Commission.

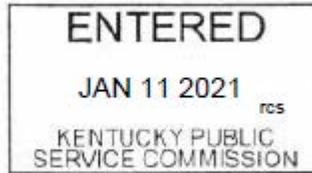
7. At any public hearing in this matter, neither opening statements nor summarization of direct testimonies shall be permitted.

8. Pursuant to KRS 278.360 and 807 KAR 5:001, Section 9(9), a digital video recording shall be made of the 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. Nothing contained herein shall prevent the Commission from entering further Orders in this matter.

By the Commission



ATTEST:

A handwritten signature in blue ink that reads "Linda C. Bidwell". The signature is written in a cursive style.

Executive Director

Case No. 2020-00402

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE  
COMMISSION IN CASE NO. 2020-00402 DATED JAN 11 2021

Requests for intervention shall be filed no later than..... 01/15/2021

All requests for information to Columbia Kentucky  
shall be filed no later than ..... 01/26/2021

Columbia Kentucky shall file responses to requests  
for information no later than ..... 02/05/2021

All supplemental requests for information to  
Columbia Kentucky shall be filed no later than..... 02/15/2021

Columbia Kentucky shall file responses to supplemental  
requests for information no later than ..... 03/01/2021

A request for a formal hearing or statement  
that this case may be submitted based on  
the existing record shall be filed no later than ..... 03/08/2021

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