

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC INVESTIGATION OF)	
JURISDICTIONAL STATUS OF EAST KENTUCKY)	CASE NO.
MIDSTREAM, LLC, AND OF ITS COMPLIANCE)	2022-00238
WITH KRS CHAPTER 278, 807 KAR CHAPTER)	
005, AND 49 CFR PARTS 191 AND 192)	

ORDER

The Commission, on its own motion, finds that a procedural schedule should be established for the orderly processing of the remainder of this case. On December 20, 2022, the Commission issued an Order in response to Kentucky Frontier Gas, LLC's (Kentucky Frontier) motion for a hearing and East Kentucky Midstream, LLC's (East Kentucky Midstream) request to waive a hearing.¹ The Commission denied Kentucky Frontier's motion at the time and granted the request for a briefing schedule.² In that Order, the Commission indicated that the case would stand submitted on the record following briefs; however, additional evidence was needed before the case could be resolved.³ The Commission and the parties continued to participate in investigation of this matter.

¹ Order (Ky. PSC Dec. 20, 2022) at 2–3.

² Order (Ky. PSC Dec. 20, 2022) at 2–3.

³ Order (Ky. PSC Dec. 20, 2022) at 2–4.

The Commission hired a consultant, Sander Resources, LLC and a report from the consultant was filed into the record on July 16, 2024. Kentucky Frontier and East Kentucky Midstream both filed a response on July 22, 2024.

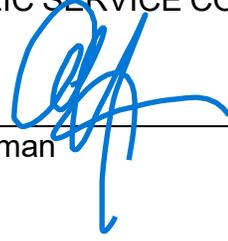
The Commission finds that both parties should be afforded additional time to file any additional evidence into the record, should they so choose. The Commission also finds that the record has been supplemented with depositions and a new report. The parties should be given an opportunity to evaluate its respective position and evaluate whether it desires a hearing on this matter at this time. As such, the Commission sets the procedural schedule attached as an Appendix to this Order.

The Commission also notes that in order for the Commission to consider information as evidence in the record the information must be sponsored by a party that shall be a witness in the matter and in compliance with 807 KAR 5:001. That party will be expected to appear in person at a hearing, should one be ordered.

IT IS THEREFORE ORDERED that:

1. The procedural schedule set forth in the Appendix to this Order shall be followed.
2. This Order should not be construed as preventing the Commission from entering further Orders in this matter.

PUBLIC SERVICE COMMISSION



Chairman

Vice Chairman



Commissioner



ATTEST:



Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2022-00238 DATED AUG 08 2024

All rebuttal testimony, if a party so desires, shall be filed by 08/30/2024

Last day for Parties to request a Public Hearing or submit a
request for the matter be decided based upon the written record 09/13/2024

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