

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF KENTUCKY)	CASE NO.
FRONTIER GAS, LLC FOR A DECLARATORY)	2025-00042
ORDER ON FREE GAS)	

ORDER

On March 24, 2026, Kentucky Frontier Gas, LLC (Kentucky Frontier) filed a motion to dismiss Coty Brown, Lindsey Brown, Linda Sue Brown Allen, Ryan Allen, Kathy Howard, Ricki Carty, and Crystal Shawn Risner (Intervenors) from this matter for failure to file their responses to Kentucky Frontier’s First Request for Information;¹ Commission Staff’s First Request for Information;² and failure to file a written statement, pursuant to 807 KAR 5:001, Section 8(9), in compliance with the procedural schedule.³ In the alternative, Kentucky Frontier requested that the Commission compel the Intervenors to file the requisite written statements, responses to both Kentucky Frontier’s and Staff’s First Requests for Information and extend the procedural schedule established on January 27, 2026.⁴

¹ Kentucky Frontier’s First Request for Information to Intervenors (Kentucky Frontier’s First Request) (filed Mar. 3, 2026).

² Commission Staff’s First Request for Information to Intervenors (Staff’s First Request) (filed Mar. 3, 2026, and Mar. 4, 2026).

³ Kentucky Frontier’s Motion to Dismiss Intervenors or Alternatively Compel Data Request Responses and to Extend the Procedural Schedule (Kentucky Frontier’s Motion to Dismiss) (filed Mar. 24, 2026).

⁴ Kentucky Frontier’s Motion to Dismiss at 3.

DISCUSSION AND FINDINGS

On November 3, 2025, the Commission entered a procedural schedule in the matter of Kentucky Frontier Gas, LLC's (Kentucky Frontier) application for a Declaratory Order pursuant to 807 KAR 5:001, Section 19, requesting an Order determining that Kentucky Frontier does not have to honor contracts for gas users receiving "free gas" without meters or customer status on a portion of the Fontain-Williams Gas Gathering System, LLC (FWGGS) pipeline.⁵ On January 27, 2026, the Commission granted the Intervenors' Requests for Intervention, modified the November 3, 2025, procedural schedule and established that the Intervenors shall file responses to Requests for Information no later than March 18, 2026, and, pursuant to 807 KAR 5:001, Section 8(9), file a written statement with the Commission.⁶

Kentucky Frontier's Motion to Dismiss the Intervenors

Kentucky Frontier's motion requested that the Intervenors be dismissed from the case for failure to file a written statement within seven days and for failure to file responses to Staff's First Request for Information and Kentucky Frontier's First Request for Information, therefore demonstrating an unwillingness to comply with the Commission's Orders.⁷ Kentucky Frontier argued that the Intervenors failure to file a written statement demonstrated a lack of interest in representing their "special interest." Moreover, by failing to respond to Kentucky Frontier's First Request for Information and Staff's First Request for Information in accordance with the procedural schedule, the Intervenors have

⁵ Order (Ky. PSC Nov. 3, 2025).

⁶ Order, Appendix at 1.

⁷ Kentucky Frontier's Motion to Dismiss at 2.

shown they are unwilling to present issues or develop facts that assist the Commission in fully considering the matter and have unduly complicated the proceedings.⁸ Finally, Kentucky Frontier argued that the Intervenors filed a Complaint in Magoffin Circuit Court, requesting the Magoffin Circuit Court to rule on the matters that Kentucky Frontier brought before the Commission in this case and therefore attempted to usurp the Commissions' decision-making processes in their local circuit court and should not be permitted to participate in this matter other than through making public comments.⁹

Kentucky Frontier's Motion to Compel and Extend the Procedural Schedule

Kentucky Frontier stated that if the Commission denies its motion to dismiss the Intervenors, in the alternative, it requests that the Commission compel the Intervenors to file the written statement and responses to the Requests for Information within ten days and amend the procedural schedule to allow Kentucky Frontier an appropriate amount of time to file rebuttal testimony, request a hearing, and/or move for the case to be submitted for a decision based upon the record.¹⁰

On March 25, 2026, the Intervenors filed responses to both Staff's First Request for Information¹¹ and Kentucky Frontier's First Request for Information¹² and requested

⁸ Kentucky Frontier's Motion to Dismiss at 2.

⁹ Kentucky Frontier's Motion to Dismiss at 3.

¹⁰ Kentucky Frontier's Motion to Dismiss at 3.

¹¹ Kathy Howard's Response to Staff's First Request; Linda Sue Brown's Response to Staff's First Request; Ricky Carty and Chrystal Shawn Risner's Response to Staff's First Request; Ryan Allen's Response to Staff's First Request; Coty and Lindsey Brown's Response to Staff's First Request.

¹² Coty Brown, Linsdey Brown, Linda Sue Brown, Ryan Allen, Kathy Howard, Ricki Carty and Crystal Shawn Risner's (Intervenors) Responses to Kentucky Frontier's First Request for Information (filed Mar. 25, 2026).

leave to file responses after the procedural due date.¹³ The Intervenors have not filed a written statement in compliance with 807 KAR 5:001, Section 8(9). The Commission finds Kentucky Frontier's motion to compel the Intervenors to file responses to Request for Information as moot and denies Kentucky Frontier's motion to dismiss the Intervenors, as the Intervenors filed responses to the Requests for Information and a motion for leave to file the responses late. However, the Commission grants Kentucky Frontier's request to extend the procedural schedule as Kentucky Frontier would have had the opportunity to review responses, prepare testimony, and make a decision regarding submitting on the record or requesting a hearing, had the Intervenors responded in accordance with the procedural schedule. Finally, the Commission grants Kentucky Frontier's motion to compel the Intervenors to comply with 807 KAR 5:001, Section 8(9), and Orders the Intervenors to file a written statement in compliance with the procedural schedule,¹⁴ within seven days of the issuance of this Order.

The Commission admonishes the Intervenors for filing responses to Staff's First Request and Kentucky Frontier's First Request for Information seven days late, without a reason stated for the delay, which resulted in the need for an amendment to the procedural schedule. Further, the Commission reminds the Intervenors of the importance of adherence to the procedural schedule for the timely processing of this case and any 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.

¹³ Intervenors' Motion for Leave to File Late Responses to First Requests for Information (Intervenors' Motion for Leave) (filed Mar. 25, 2026).

¹⁴ Order (Ky. PSC Jan 27, 2026).

IT IS THEREFORE ORDERED that:

1. Kentucky Frontier's motion is granted, in part, and denied, in part.
2. Kentucky Frontier' motion to amend the procedural schedule is granted.
3. The Intervenors' motion for leave to file responses to Commission Staff's First Request for Information and Kentucky Frontier's First Request for Information is granted.
4. The response filed by the Intervenors on March 25, 2026, to Commission Staff's First Request for Information, is accepted into the case record.
5. The response filed by the Intervenors on March 25, 2026, to Kentucky Frontier's First Request for Information, is accepted into the case record.
6. Kentucky Frontier's motion to compel is granted with respect to 807 KAR 5:001, Section 8(9).
7. Within seven days from the date of service of this Order, the Intervenors shall file to 807 KAR 5:001, Section 8(9), a written statement with the Commission that:
 - a. Certifies that it, or its agent, possesses the facilities to receive electronic transmissions; and
 - b. Sets forth the electronic mail address to which all electronic notices and messages related to this proceeding shall be served.
8. The procedural schedule in the January 27, 2026 Order is amended as set forth in the Appendix to this Order.
9. All provisions of the Commission's November 3, 2025 and January 27, 2026 procedural Orders not in conflict with the provisions of this Order or previously amended shall remain in effect.

PUBLIC SERVICE COMMISSION



Chairman



Commissioner



Commissioner

ATTEST:



Executive Director



APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2025-00042 DATED APR 02 2026

Kentucky Frontier shall file, in verified form, its rebuttal Testimony no later
than.....04/09/2026

Kentucky Frontier or any Intervenor shall request either a hearing
or that the case be submitted for decision based on the record no later
than..... 04/16/2026

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