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Case Management System - KY Public Service Commission*Administrative Cases Before the Commission as of February 26, 2025***2010-00146**

RECEIVED: 04/19/10

FILED: 04/19/10

FINAL: 12/28/10

REOPENED:

SUSPENSION DATE:

CASE NATURE: Natural Gas Retail Competition Programs

CASE CODE

Administrative

INTERVENORS: Cook - AG/Dosker - Stand

HEARINGS:

10/20/10 Formal Hearing
 10/19/10 Formal Hearing
 10/12/10 Informal Conference
 04/27/10 Informal Conference

INDEX OF EVENTS:

12/28/10 Final Order Entered:
 (1) The report appended hereto is incorporated into this Order as if fully set forth herein.
 (2) The Executive Director shall cause a copy of this report to be delivered to the Legislative Research Commission.
 (3) This proceeding is closed and is removed from the Commission's docket.

11/23/10 Letter to John M. Dosker granting Stand Energy Corporation's petition for confidentiality filed 10/11/10 for protection of certain information

11/02/10 Response letter to Kentucky Society of Healthcare Engineers
 11/02/10 Response letter to Norton Suburban Hospital
 11/02/10 Response letter to Lake Cumberland Regional Hospital
 11/02/10 Response letter to Taylor Regional Hospital
 11/02/10 Response letter to Central Baptist Hospital
 11/02/10 Response letter to Ephraim McDowell Health
 11/02/10 Response letter to Muhlenberg Community Hospital
 11/02/10 Response letter to Fleming County Hospital
 11/02/10 Atmos Energy Brief
 11/01/10 Response Letter to Camco Chemical
 11/01/10 LG&E's Post-Hearing Brief
 11/01/10 Walmart and Sam's East Post-Hearing Brief
 11/01/10 Retail Energy Supply Association's Post-Hearing Brief
 11/01/10 Atmos Energy's Brief (Fax)
 11/01/10 LG&E's Post-Hearing Brief
 11/01/10 Delta Natural Gas Company's Post-Hearing Brief
 11/01/10 Attorney General's Brief
 11/01/10 Stand Energy's Post-Hearing Brief
 11/01/10 Duke Energy's Post-Hearing Brief
 11/01/10 Duke Energy's Post-Hearing Brief
 11/01/10 AARP's Post-Hearing Brief
 11/01/10 Columbia Gas of Kentucky's Post-Hearing Brief
 11/01/10 Association of Community Ministries Post-Hearing Brief
 11/01/10 IGS, SouthStar and Vectren's Post-Hearing Brief
 11/01/10 Community Action Council's Post-Hearing Brief
 10/29/10 Nancy Brockway's Responses to Post-Hearing Data Requests
 10/28/10 Stand Energy's Post Hearing Data Responses
 10/28/10 Interstate Gas Supply, Southstar Energy Service and Vectren Source's Post Hearing Responses to the PSC Staff
 10/28/10 Atmos Energy's Post Hearing Response to Staff's Requests (Original)
 10/27/10 Notice of Filing
 10/27/10 IGS, SouthStar and Vectren's Response to Post Hearing Data Requests of Commission Staff (FAX)
 10/27/10 Stand Energy's Post Hearing Data Requests (Faxed)
 10/27/10 LG&E's Response to Post Hearing Data Request of 101910

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10/27/10 Atmos Energy's Post Hearing Response to Staff's Requests (Fax)
 10/26/10 IGS, SouthStar and Vectren Source's Notice of Erratum
 10/26/10 IGS, SouthStar and Vectren Source's Notice of Erratum
 10/20/10 Public Comments from Various Individuals
 10/20/10 Camco Chemical Company's Comments
 10/19/10 Response letter to Toeppen
 10/19/10 Letter of Concern from CenterPoint Energy
 10/18/10 Order Entered: The Attorney General's motion is granted and that he shall accept the existing procedural schedule.
 10/15/10 Public Comments by Bill Toeppen
 10/14/10 Attorney General's Motion to Intervene
 10/11/10 Stand Energy PSC Response
 10/11/10 Stand Energy Revised LG&E Response
 10/11/10 Stand Energy's Petition for Confidential Treatment
 10/08/10 Atmos Energy's Notice of Appearance of Mark R. Hutchinson
 10/07/10 Atmos Energy's Supplemental Responses to SEC's Data Requests dated 071510
 10/06/10 Order Entered:
 (1) LG&E's motion to compel is granted.
 (2) Stand shall provide the information LG&E requested in its First Information Request, Items 1 and 2, dated August 15, 2010 no later than five days from the date of this Order.
 (3) Stand shall provide the information Staff requested in Staff's First Information Request, Item 6, dated August 15, 2010 no later than five days from the date of this Order.
 10/06/10 Commission Staff's Notice of Informal Conference
 10/06/10 Delta Natural Gas Supplemental Response to SEC's First Request for Information dated 100110
 10/06/10 CGK's Response to SEC's Request of 071510
 10/01/10 Order Entered:
 (1) Stand's motion to compel is granted in part and denied in part as set forth herein.
 (2) Delta shall provide the responses to Stand's Request 1.9 B, D, H, F.1 and the first part of I within five days of the date of this Order.
 10/01/10 Order Entered:
 (1) Stand's motion to compel is granted in part and denied in part as set forth herein.
 (2) Atmos shall provide the responses directed herein within five days of the date of this Order.
 10/01/10 Order Entered:
 (1) Stand's motion to compel is granted in part and denied in part as set forth herein.
 (2) Columbia shall provide the responses directed herein within five days of the date of this Order.
 10/01/10 Order Entered:
 Holly Rachel Smith is admitted pro hac vice for the purpose of represent Wal-Mart
 09/22/10 IGS, SouthStar & Vectren's Rebuttal Testimony of Ellen Williams
 09/22/10 CGK's Rebuttal Testimony of Judy M. Cooper
 09/22/10 IGS, SouthStar & Vectren's Rebuttal Testimony of M. Howard Petricoff
 09/22/10 AARP's Rebuttal Testimony of Nancy Brockway
 09/22/10 Wal-Mart's Motion Pro Hoc Vice
 09/22/10 Atmos Energy's Rebuttal Testimony
 09/22/10 LG&E's Rebuttal Testimony of J. Clay Murphy & Pamela L. Jaynes
 09/21/10 Order Entered: Jeanne W. Kingery is admitted pro hac vice for the purpose of representing Duke Energy provided that Amy B. Spiller or another member of the Kentucky Bar Association acts as co-counsel and is present at any and all proceedings before this Commission.
 09/20/10 CGK's Response to Motion of SEC to Compel Responses to Data Requests
 09/07/10 Atmos Energy's Responses to Staff's 2nd Information Requests
 09/07/10 Atmos Energy's Responses to IGS, SouthStar and Vectren's 2nd Data Requests
 09/07/10 Delta Natural Gas' Response to Stand Energy's Motion to Compel
 09/07/10 RESA's Response to ACM Supplemental Data Requests
 09/07/10 Entry of Appearance by Mark David Goss
 09/07/10 Interstate Gas Supply, SouthStar Energy Services, and Vectren Source's response to ACM
 09/07/10 CGK's Responses to IGS, SouthStar and Vectren's 2nd Request for Information
 09/07/10 Interstate Gas Supply, South Star Energy Services and Vectren Source's Responses to Commission Staff Data Requests
 09/07/10 CGK's Responses to Staff's 2nd Information Request

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09/07/10 LG&E's Response to Staff's 2nd Info Request dtd 082010
 09/07/10 CGK's Responses to ACM's 2nd Request for Information
 09/07/10 LG&E's Response to 2nd Data Request of IGS, SouthStar and Vectren
 09/02/10 Duke's Responses to Staff, IGS, SouthStar and Vectren's 2nd Data Requests
 09/02/10 Duke's Responses to Staff's 2nd Set of Data Requests
 09/01/10 Order Entered:
 (1) The procedural schedule established on June 8, 2010 is amended to require all responses to the second information requests to be filed no later than September 7, 2010.
 (2) All other provisions of the procedural schedule shall remain in full force and effect.

09/01/10 SEC's Motion to Compel Data Request Responses from Atmos Energy
 08/31/10 Duke Energy's Motion to Admit Pro Hac Vice of Jeanne W. Kingery
 08/30/10 SEC's Motion to Compel Data Request Responses to Delta Natural Gas
 08/27/10 SEC's Motion to Compel Data Request Responses to CGK
 08/27/10 Cawood Water District's Response - KRWA's Report of Recommendations on Management and Operations

08/24/10 Order Entered:
 1. The motion of Wal-Mart to intervene is granted, and Wal-Mart shall accept the existing procedural schedule.
 2. Wal-Mart shall be entitled to the full rights of a party and shall be served with the Commission's Orders, filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties after the date of this Order.
 3. Should Wal-Mart file documents of any kind with the Commission in the course of these proceedings, Wal-Mart shall also serve a copy of said documents on all other parties of record.

08/23/10 Stand Energy's Response to LG&E's Motion to Compel
 08/20/10 Commission Staff's Second Information Request to Atmos Energy Corporation
 08/20/10 Commission Staff's Second Information Request to Columbia Gas of Kentucky, Inc.
 08/20/10 Commission Staff's Second Information Request to Duke Energy Kentucky, Inc.
 08/20/10 Commission Staff's Second Information Request to Interstate Gas Supply, Inc., Southstar Energy Services, LLC, and Vectren Retail, LLC d/b/a Vectren Source
 08/20/10 Commission Staff's Second Information Request to Louisville Gas and Electric Company
 08/20/10 IGS, SouthStar and Vectren's 2nd Data Requests to LG&E
 08/20/10 IGS, SouthStar and Vectren's 2nd Data Requests to Atmos Energy
 08/20/10 IGS, SouthStar and Vectren's 2nd Data Requests to CGK
 08/20/10 ACM's Second Request for Information to Retail Energy Supply Association
 08/20/10 IGS, SouthStar and Vectren's 2nd Data Requests to Duke Energy
 08/20/10 ACM's First Request for Information to Interstate Gas Supply, Southstar Energy and Vectren Source
 08/20/10 ACM's Second Request for Information to Columbia Gas
 08/06/10 Delta Natural Gas Company, Inc.'s Notice of Entry of Appearance of Robert M. Watt, III
 08/06/10 LG&E's Motion to Compel Discovery Responses from SEC
 08/02/10 ProLiance Energy's Verification Page
 07/30/10 IGS/SouthStar/Vectren's Responses to Duke Energy's First Data Request
 07/30/10 IGS/SouthStar/Vectren's Responses to AARP's First Data Request
 07/30/10 IGS/SouthStar/Vectren's Responses to Staff's First Data Request
 07/30/10 IGS/SouthStar/Vectren's Motion to File Data Request Response Exhibits Out of Time
 07/30/10 MXenergy's Responses to AARP's First Set of Discovery Requests
 07/29/10 SEC's Responses to Duke Energy's Requests for Information
 07/29/10 AARP's Response to Interstate Gas Supply and Southstar Energy, and Vectren Source's First Request for Information

07/29/10 CGK's Responses to Retail Energy's First Information Request
 07/29/10 LG&E's Response to SEC's First Requests for Information dated 071510
 07/29/10 CAC's Response to IGS, SouthStar and Vectren's First Information Requests
 07/29/10 Atmos Energy's Responses to Stand Energy's Initial Data Requests
 07/29/10 Delta's Responses to Stand Energy's First Request for Information
 07/29/10 Duke Energy's Responses to Staff's First Data Request
 07/29/10 CGK's Responses to IGS/SouthStar/Vectren's First Requests for Information
 07/29/10 Atmos Energy's Response to Retail Energy's Initial Data Requests
 07/29/10 Duke Energy's Responses to RESA's First Data Requests
 07/29/10 IGS/SouthStar/Vectren's Responses to Duke Energy

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07/29/10 Duke Energy's Responses to SEC's First Data Requests
07/29/10 RESA's Responses to ACM's 071410 Data Requests
07/29/10 IGS/SouthStar/Vectren's Responses to AARP
07/29/10 LG&E's Response to Staff's First Data Request of 071510
07/29/10 Walmart's Petition to Intervene
07/29/10 Delta's Responses to IGS, SouthStar and Vectren's Information Requests
07/29/10 SEC's Responses to AARP's Requests for Information
07/29/10 CGK's Responses to Staff's First Information Request
07/29/10 IGS/SouthStar/Vectren's Motion to File Data Request Response Exhibits Out of Time
07/29/10 Duke Energy's Responses to Vectren/IGS/SouthStar's First Data Requests
07/29/10 Atmos Energy's Response to Staff's Initial Data Requests
07/29/10 RESA's Responses to AARP's 071410 Data requests
07/29/10 ProLiance Energy's Initial Response to AARP's Initial Data Requests
07/29/10 Delta's Response to Staff's Information Request
07/29/10 CGK's Responses to SEC's First Requests for Information
07/29/10 LG&E's Response to IGS/SouthStar/Vectren Source's Request for Information dated 071510
07/29/10 CGK's Responses to AARP's First Set of Requests
07/29/10 IGS/SouthStar/Vectren's Responses to Staff
07/29/10 CAC's Response to Staff's First Information Request
07/29/10 Retail Energy's Response to Staff's 071410 Data Requests
07/29/10 SEC's Responses to LG&E's Requests for Information
07/29/10 Retail Energy's Response to Duke Energy's Data Requests
07/29/10 Atmos Energy's Responses to IGS, SouthStar and Vectren's Initial Data Requests
07/29/10 LG&E's Response to Retail Energy's Initial Data Request dated 071510
07/29/10 CGK's Responses to ACM's First Request for Information
07/29/10 SEC's Responses to Staff's Requests for Information
07/29/10 Delta's Responses to Retail Energy Supply's Initial Data Request
07/29/10 Walmart's Petition For Leave to File Out-of-Time
07/29/10 Atmos Energy's Responses to AARP's Initial Data Requests
07/28/10 ACM's Response to First Information Requests of IGS, SouthStar and Vectren
07/15/10 Commission Staff's First Information Request to Interstate Gas Supply, Inc., Southstar Energy Services, LLC, and Vectren Retail, LLC dba Vectren Source
07/15/10 Commission Staff's First Information Request to Stand Energy Corporation
07/15/10 Commission Staff's First Information Request to Delta Natural Gas Company, Inc.
07/15/10 Commission Staff's First Information Request to Community Action Council for Lexington-Fayette, Bourbon, Harrison and Nicholas Counties, Inc.
07/15/10 Commission Staff's First Information Request to Retail Energy Supply Association
07/15/10 Commission Staff's First Information Request to Duke Energy Kentucky, Inc.
07/15/10 Commission Staff's First Information Request to Columbia Gas of Kentucky, Inc.
07/15/10 Commission Staff's First Information Request to Louisville Gas and Electric Company
07/15/10 Commission Staff's First Information Request to Atmos Energy Corporation
07/15/10 AARP's First Set of Requests to MXenergy, ProLiance Energy, and Stand Energy
07/15/10 SEC's First Requests for Information to LG&E
07/15/10 IGS, SouthStar and Vectren's Data Requests to Columbia Gas
07/15/10 RESA's Initial Data Request to Columbia Gas
07/15/10 IGS, SouthStar and Vectren's Data Requests to Atmos Energy
07/15/10 IGS, SouthStar and Vectren's Data Requests to Duke Energy
07/15/10 SEC's First Requests for Information to Delta Natural Gas
07/15/10 AARP's First Set of Requests to Interstate Gas Supply, Southstar Energy and Vectren Source
07/15/10 Duke Energy's Requests for Information to IGS, SouthStar, and Vectren
07/15/10 Duke Energy's Requests for Information to SEC
07/15/10 RESA's Initial Data Request to LG&E
07/15/10 RESA's Initial Data Request to Delta Gas
07/15/10 IGS, SouthStar and Vectren's Data Requests to LG&E
07/15/10 IGS, SouthStar, and Vectren's Data Requests to ACM
07/15/10 SEC's First Requests for Information to Atmos Energy
07/15/10 RESA's Initial Data Request to Atmos Energy
07/15/10 SEC's First Requests for Information to Columbia Gas

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07/15/10 IGS, SouthStar and Vectren's Data Requests to AARP
07/15/10 AARP's First Set of Requests to Columbia Gas
07/15/10 Duke Energy's Requests for Information to Retail Energy (RESA)
07/15/10 AARP's First Set of Requests to Retail Energy Supply
07/15/10 RESA's Initial Data Request to Duke Energy
07/15/10 IGS, SouthStar and Vectren's Data Requests to CAC
07/15/10 LG&E's Data Requests to SEC
07/15/10 IGS, SouthStar, and Vectren's Data Requests to Delta Natural Gas
07/15/10 SEC's First Requests for Information to Duke Energy
07/15/10 AARP's First Set of Requests to Atmos Energy
07/14/10 ACM's First Request for Information to Retail Energy Supply Association
07/14/10 ACM's First Request for Information to Columbia Gas
06/28/10 Stand Energy Motion for Leave to File
06/24/10 CAC's Direct Testimony of Jack E. Burch
06/23/10 Atmos Energy's Testimony of Mark A. Martin
06/23/10 Atmos Energy's Motion for Leave to File Testimony Late (Original)
06/22/10 Atmos Energy's Motion for Leave to File Testimony Late
06/21/10 CGK's Testimony of Judy Cooper
06/21/10 Marlon Cummings' Testimony
06/21/10 Duke Energy's Direct Testimony of B. Mitchell Martin
06/21/10 Stand Energy's Testimony of Mark Ward
06/21/10 Interstate Gas Supply's Direct Testimony of Gregory Collins
06/21/10 AARP's Direct Testimony of Nancy Brockway
06/21/10 CAC's Motion for Enlargement of Time to File Direct Testimony
06/21/10 Stand Energy's Testimony of John M. Dosker
06/21/10 LG&E's Direct Testimony of J. Clay Murphy and Pamela L. Jaynes
06/21/10 Stand Energy's Testimony of Donald L. Mason
06/21/10 Retail Energy Supply's Direct Testimony of Teresa L. Ringenbach
06/21/10 MXenergy's statement concerning Direct Testimony
06/21/10 Delta Natural Gas Company's Direct Testimony of Glenn R. Jennings
06/17/10 Letter to file response from staff of the Illinois Commerce Commission into the record
06/15/10 Electronic mail responses from NARUC gas subcommittee members
06/11/10 Order Entered: Michael T Griffith is admitted pro hav vice for the purpose of representing Proliance provided that Katherine Yunker, John Park or another member of the Kentucky Bar acts as co counsel and is present at any and all proceedings before the PSC
06/09/10 Order Entered:
(1)The motions of ProLiance and RESA to intervene are granted and ProLiance and RESA shall accept the existing procedural schedule.
(2) ProLiance and RESA shall be entitled to the full rights of parties.
(3) Should ProLiance or RESA file documents of any kind with the Commission, ProLiance and RESA shall also serve a copy on all other parties of record.
06/09/10 Order Entered:
(1) The motion of IGS, SouthStar and Vectren to intervene is granted and they shall accept the existing procedural schedule.
(2) IGS, SouthStar and Vectren shall be entitled to the full rights of parties.
(3) Should IGS, SouthStar or Vectren file documents of any kind with the Commission, they shall also serve a copy of said documents on all other parties of record.
06/09/10 ProLiance Energy's Motion for Admission Pro Hoc Vice of Michael T. Griffiths
06/08/10 Order Entered: 1. The procedural schedule set forth in the Appendix to this Order shall be followed. 2. All requests for information and responses thereto shall be appropriately indexed. All responses shall include the name of the witness who will be responsible for responding to the questions related to the information provided, with copies to all parties of record and ten copies to the Commission. 3. Service of any document or pleading shall be made in accordance with 807 KAR 5:001, Section 3(7). 4. All documents filed with the Commission shall also be served upon all parties of record at or before the time of filing. 5. All parties shall respond to any interrogatories and requests for production of documents that Commission Staff submits in accordance with the procedural schedule set forth in the appendix attached hereto and incorporated herein. 6. 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. 7. At any public hearing in this matter, neither opening statements nor summarization of direct testimony

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shall be permitted.

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

06/07/10

Order Entered:

- (1) The motions of MX and ACM to intervene are granted.
- (2) MX and ACM shall be entitled to the full rights of parties and shall be served with the Commission's Orders and with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties after the date of this Order.
- (3) Should MX or ACM file documents of any kind with the Commission in the course of these proceedings, MX and ACM shall also serve a copy of said documents on all other parties of record.

06/01/10

Order Entered:

- (1) The Motion of AARP to intervene is granted.
- (2) AARP shall be entitled to the full rights of a party after the date of this Order.
- (3) Should AARP file documents of any kind with the Commission in the course of these proceedings, AARP shall also serve a copy of said documents on all other parties of record.

05/28/10

Proliance Energy's Motion for Full Intervention

05/28/10

Interstate Gas, South Star Energy, and Vectren Source's Motion to Intervene

05/28/10

MX Energy's Motion to Intervene

05/28/10

Retail Energy Suppliers Association's Motion for Full Intervention

05/25/10

AARP's Motion for Full Intervention

05/13/10

Order Entered: Brooke E. Leslie is admitted pro hac vice for the purpose of representing Columbia.

05/11/10

Order Entered:

- (1) The motions of Stand Energy and CAC to intervene are granted.
- (2) Stand Energy and CAC shall be entitled to the full rights of parties.
- (3) Should Stand Energy or CAC file documents of any kind with the Commission, Stand Energy and CAC shall also serve a copy of said documents on all other parties of record.

04/28/10

CAC's Motion for Full Intervention

04/27/10

Stand Energy's Motion for Full Intervention

04/27/10

CGK's Motion for Admission PRO HAC VICE of Brooke E. Leslie

04/19/10

Order Entered:

- (1) This matter is established as an investigation of natural gas retail competition programs to determine if benefits could be derived from these programs, and to determine whether natural gas retail competition programs could be crafted to benefit Kentucky consumers.
- (2) Each jurisdictional natural gas distribution utility with 15,000 or more customers in Kentucky is hereby made a party to this proceeding. Any jurisdictional natural gas distribution utility with less than 15,000 customers in Kentucky may seek to participate by filing a timely motion to intervene.
- (3) The parties shall appear for an informal conference on April 27, 2010 at 2:00 pm, local prevailing time at the Commission's office in Frankfort, KY.
- (4) Any requests to intervene in this proceeding shall be filed with the Commission on or before May 28, 2010.
- (5) At any hearing in this matter, neither opening statements nor summarization of direct testimony shall be permitted.
- (6) All documents that this Order requires to be filed with the Commission shall be served upon all other parties.
- (7) The Executive Director shall cause a copy of this Order to be sent to the AG, natural gas marketers that are currently operating in Kentucky pursuant to a tariff on file with the Commission, representatives from consumer groups, and representatives of all classes of customers that have in the past frequently intervened in proceedings of this nature.