



BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP19-97-000]

Guthrie Natural Gas Utility; Notice of Application

Take notice that on February 21, 2019, Guthrie Natural Gas Utility (Guthrie), PO Box 632, Guthrie, Kentucky 42234, filed in Docket No. CP19-97-000 an application pursuant to section 7(f) of the Natural Gas Act (NGA) requesting a service area determination so that it may expand or enlarge its facilities with or without further Commission authorization. Guthrie is a public utility providing natural gas service to customers in Kentucky that is regulated by the Kentucky Public Service Commission. Guthrie is seeking a service area determination to operate approximately 25 feet of pipeline across the Kentucky/Tennessee border in order to interconnect with the City of Clarksville, Tennessee's Gas and Water Department pipeline facilities, through which Guthrie receives its natural gas supply. Guthrie states this interconnect is required to serve a new customer in Guthrie, Kentucky, and that Guthrie does not now or in the future intend to serve customers in Tennessee. Guthrie also requests that the Commission determine that Guthrie qualifies as a local distribution company for the purposes of transportation under section 311 of the Natural Gas Policy Act of 1978 and that it be granted waiver of all reporting and accounting requirements, as well as other rules and regulations that are normally applicable to natural gas companies subject to the

Commission's jurisdiction, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The filing is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's website web at <http://www.ferc.gov> using the eLibrary link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, contact FERC at FERCOnlineSupport@ferc.gov or call toll-free, (886) 208-3676 or TYY, (202) 502-8659.

Any questions concerning this application may be directed to Dwight Luton, Kentucky Energy Systems, LLC, P.O. Box 632, Guthrie, Kentucky 42234, by telephone at (931) 624-3677, or by email dluton@d2energyllc.net; or James Covington, Mayor of the City of Guthrie, Kentucky, 110 Kendall Street, Guthrie, Kentucky 42234, by telephone at (270) 483-2511.

Pursuant to section 157.9 of the Commission's rules, 18 CFR 157.9, within 90 days of this Notice the Commission staff will either: complete its environmental assessment (EA) and place it into the Commission's public record (eLibrary) for this proceeding; or issue a Notice of Schedule for Environmental Review. If a Notice of Schedule for Environmental Review is issued, it will indicate, among other milestones, the anticipated date for the Commission staff's issuance of the final environmental impact statement (FEIS) or EA for this proposal. The filing of the EA in the Commission's public record for this proceeding or the issuance of a Notice of Schedule for Environmental Review will serve to notify federal and state agencies of the timing for the completion of all necessary reviews, and the subsequent need to complete all federal

authorizations within 90 days of the date of issuance of the Commission staff's FEIS or EA.

There are two ways to become involved in the Commission's review of this project. First, any person wishing to obtain legal status by becoming a party to the proceedings for this project should, on or before the comment date stated below file with the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426, a motion to intervene in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the NGA (18 CFR 157.10). A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies of all documents filed by the applicant and by all other parties. A party must submit 3 copies of filings made in the proceeding with the Commission and must provide a copy to the applicant and to every other party. Only parties to the proceeding can ask for court review of Commission orders in the proceeding.

However, a person does not have to intervene in order to have comments considered. The second way to participate is by filing with the Secretary of the Commission, as soon as possible, an original and two copies of comments in support of or in opposition to this project. The Commission will consider these comments in determining the appropriate action to be taken, but the filing of a comment alone will not serve to make the filer a party to the proceeding. The Commission's rules require that persons filing comments in opposition to the project provide copies of their protests only to the party or parties directly involved in the protest.

Persons who wish to comment only on the environmental review of this project should submit an original and two copies of their comments to the Secretary of the Commission. Environmental commenters will be placed on the Commission's environmental mailing list and will be notified of any meetings associated with the Commission's environmental review process. Environmental commenters will not be required to serve copies of filed documents on all other parties. However, the non-party commenters will not receive copies of all documents filed by other parties or issued by the Commission and will not have the right to seek court review of the Commission's final order.

As of the February 27, 2018 date of the Commission's order in Docket No. CP16-4-001, the Commission will apply its revised practice concerning out-of-time motions to intervene in any new Natural Gas Act section 3 or section 7 proceeding.¹ Persons desiring to become a party to a certificate proceeding are to intervene in a timely manner. If seeking to intervene out-of-time, the movant is required to show good cause why the time limitation should be waived, and should provide justification by reference to factors set forth in Rule 214(d)(1) of the Commission's Rules and Regulations.²

The Commission strongly encourages electronic filings of comments, protests and interventions in lieu of paper using the eFiling link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 3 copies of the protest or

¹ *Tennessee Gas Pipeline Company, L.L.C.*, 162 FERC 61,167 at 50 (2018).

² 18 CFR 385.214(d)(1).

intervention to the Federal Energy regulatory Commission, 888 First Street, NE,
Washington, DC 20426.

Comment Date: 5:00 pm Eastern Time on March 20, 2019.

Dated: February 27, 2019.

Kimberly D. Bose,

Secretary.

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