

COMMONWEALTH OF KENTUCKY
BEFORE THE ENERGY REGULATORY COMMISSION

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In the Matter of

THE REQUEST OF VALLEY GAS, INC. FOR)
AN EXEMPTION FROM 807 KAR 50:015) CASE NO. 7583
(BUDGET BILLING PLAN))

O R D E R

On September 10, 1979, the Commission notified Valley Gas, Inc., that it must comply with Commission Regulation 807 KAR 50:015(11) by implementing a budget billing plan before the end of calendar year 1979. Thereafter, by letter dated September 19, 1979, the Company requested an exemption from the requirement of implementing a budget billing plan.

The Commission decided to treat this letter as an application to deviate from the provisions of 807 KAR 50:015(11); therefore, the matter was set for hearing on the 3rd day of October 1979. The hearing, which was rescheduled for October 2, 1979, at the request of the Company, was held in the Commission's office in Frankfort, Kentucky, with one intervenor, the Attorney General's Division of Consumer Protection, being present. At the conclusion of the hearing and following response to all requests for additional information, the record was closed.

On October 22, 1979, after the closing of the record in the above-styled case, the Attorney General's Division of Consumer Protection filed its Motion seeking permission to file a brief in this matter. The Commission, by Order dated November 2, 1979, sustained the Motion and ordered the brief to be submitted on or before November 15, 1979. The brief was filed on November 15, 1979, and made a part of the record herein. The case was then submitted to the Commission for final determination.

The Commission, after consideration of the application and all evidence of record, is of the opinion and FINDS that:

(1) The Applicant serves approximately 422 customers who would be eligible for any budget plan instituted by Applicant.

(2) In the past twelve (12) months, the Applicant has had no requests for a budget billing plan.

(3) The Applicant has made and is continuing efforts to offer individually fashioned partial payment plans to customers experiencing hardships.

(4) The implementation of a budget billing plan would require the Applicant to incur additional expenses which would materially impair its operations.

IT IS THEREFORE ORDERED, that Valley Gas, Inc., is hereby granted a one (1) year exemption from the date of hearing, or until October 2, 1980, to implement a budget billing plan.

Done at Frankfort, Kentucky, this the 2nd day of April, 1980.

ENERGY REGULATORY COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:

Secretary