

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

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| THOMAS O. MATHUES, A LOT OWNER IN THE |) | |
| SLEDD CREEK SUBDIVISION IN GILBERTSVILLE, |) | |
| KENTUCKY, AND 64 OTHER LOT OWNERS IN THE |) | |
| SAME SUBDIVISION |) | |
| COMPLAINANTS |) | |
| VS. |) | CASE NO. |
| |) | 10380 |
| WESTERN KENTUCKY GAS UTILITY CORPORATION |) | |
| DEFENDANT |) | |

O R D E R

On September 12, 1988, a formal complaint was filed by Thomas O. Mathues and 64 residents of Sledd Creek Subdivision against Western Kentucky Gas Company ("W. Ky. Gas"). The Complainants seek a refund plan which differs from that found in the tariffs of W. Ky. Gas on file with this Commission. Specifically, Complainants request that W. Ky. Gas be directed to institute an extension policy and refund plan under 807 KAR 5:022, Section 9(16)(d) which provides that a utility may make extensions under different arrangements from what is specifically allowed by Commission regulation, provided that Commission approval is first obtained. 807 KAR 5:022, Section 9(16)(d) clearly provides that initiation of an alternative arrangement is within the sole discretion of the utility and as such this provision cannot be invoked by customer initiated petition or complaint. Currently, W. Ky. Gas' extension policy and refund plan is consistent with

that allowable by Commission regulation 807 KAR 5:022, Section 9(16)(a) and (c).

After a review of the record and being advised, the Commission is of the opinion and finds that the complaint is devoid of any allegations of wrongdoing or showing of violations of Commission statutes or regulations on the part of W. Ky. Gas. and, therefore, fails to provide a basis upon which this action can be maintained.

IT IS THEREFORE ORDERED that the above-styled action be, and it hereby is, dismissed.

Done at Frankfort, Kentucky, this 30th day of November, 1988.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:

Executive Director