

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE REQUEST TO ABANDON SERVICE BY) CASE NO.
LESLIE GAS COMPANY) 91-476

O R D E R

On February 27, 1992, the Commission initiated an investigation into the current ownership and operation of Leslie Gas Company ("Leslie Gas"). It ordered D. C. Stephens, David L. Stephens, and Elizabeth Stephens Bierbauer, individually, to submit certain information on the operation of Leslie Gas Company no later than March 20, 1992. As of this date, the Commission has yet to receive the requested information from D. C. Stephens or Elizabeth Stephens Bierbauer.

The Commission HEREBY ORDERS and COMPELS D. C. Stephens and Elizabeth Stephens Bierbauer, individually, to file the original and eight copies of the following information with the Commission no later than April 20, 1992, with a copy to all parties of record. Each copy of the data request should be placed in a bound volume with each item tabbed. When a number of sheets are required for an item, each sheet should be appropriately indexed, i.e., Item 1(a), Sheet 2 of 6. Careful attention should be given to copied material to ensure that it is legible. If the information is not known, then the party should so state in his response. Failure to comply with this Order may result in the assessment of civil penalties pursuant to KRS 278.990.

1. State the number of customers served by Leslie Gas as of December 31, 1991.
2. State the volume of gas consumption for Leslie Gas customers in 1991.
3. Provide the name and address of all customers currently served by Leslie Gas.
4. State whether Leslie Gas is currently incorporated in any state(s). If yes, identify:
 - a. the state(s) where incorporated.
 - b. date of incorporation.
 - c. Leslie Gas's current corporate status.
 - d. each person owning stock in Leslie Gas Company and the percentage of total stock owned.
5. If Leslie Gas is incorporated in any state, provide a copy of its articles of incorporation.
6. If Leslie Gas is not incorporated, identify its current form of organization (e.g., sole proprietorship, partnership, etc.).
7. Provide a copy of the power of attorney which D. C. Stephens presented to Elizabeth Stephens Bierbauer. State whether this document has been filed with any government agency. If yes, identify that agency.
8. Provide a copy of the lease agreement between David L. Stephens and D. C. Stephens.
9. Provide a copy of the gas well lease agreement between D. C. Stephens and the Leslie family.

10. Provide a copy of the document appointing Elizabeth Stephens Bierbauer as trustee of Leslie Gas.
11. State the date Elizabeth Stephens Bierbauer was appointed trustee of Leslie Gas. Identify the person (or court) who appointed her.
12. Provide a signed statement from D. C. Stephens' current physician describing the current state of Stephens' health.
13. Identify the person(s) currently operating Leslie Gas. Describe his/her duties.
14. Identify who has possession of and maintains the following records for Leslie Gas:
 - a. meter reading records
 - b. billing summaries
 - c. books of account
 - d. bank statements
 - e. checkbook
 - f. income tax records
 - g. lease agreements
 - h. invoices
 - i. billing stubs
 - j. all other supporting documents.
15. Identify the bank(s) with which Leslie Gas maintains an account. Identify who has access to those accounts.
16. Provide financial statements for the 12-month period ending December 31, 1991 or any recent fiscal year or monthly financial statements available.

17. Provide a copy of all written agreements between David L. Stephens and Elizabeth Stephens Bierbauer which relate to Leslie Gas.

18. List all of Leslie Gas's outstanding debts.

19. List all persons who have a judicial or security lien on Leslie Gas's assets. State the amount of each lien.

20. State David L. Stephens' position with Leslie Gas. List all of his responsibilities.

21. State the amount of compensation paid to David L. Stephens in 1991 by Leslie Gas.

22. List the person(s) with whom Leslie Gas has inquired about purchasing or managing its distribution system.

23. a. State the number of Leslie Gas customers who have no source of energy for heating purposes except Leslie Gas.

b. Explain how Leslie Gas determined that these customers are solely dependent upon it for energy for heating.

c. Identify the alternative sources of energy for heating that are available in Leslie Gas's service territory.

d. For each source listed in Item (c), provide its name and business address.

24. List all bank accounts which Leslie Gas maintains. For each account, state its balance as of December 31, 1991.

25. Provide Leslie Gas's Operating and Maintenance Plan.

26. Provide Leslie Gas's procedure for reporting safety-related conditions.

27. Provide a copy of the latest leak test survey for Leslie Gas's distribution system.

28. Describe the condition of Leslie Gas's regulators, meters, relief valves and service lines.

IT IS FURTHER ORDERED that all parties shall appear at a formal conference to be held in this matter on May 6, 1992, at 10:30 a.m., Eastern Daylight Time, in Hearing Room 2 of the Commission's offices at 677 Comanche Trail, Frankfort, Kentucky, for the purpose of discussing the present ownership of Leslie Gas.

Done at Frankfort, Kentucky, this 3rd day of April, 1992.

PUBLIC SERVICE COMMISSION


For the Commission

ATTEST:


Executive Director, Acting