

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AUXIER ROAD GAS COMPANY

COMPLAINANT

VS.

COLUMBIA GAS OF KENTUCKY, INC.

DEFENDANT

CASE NO. 92-285

ORDER TO SATISFY OR ANSWER


Columbia Gas of Kentucky, Inc. ("Columbia Gas") is hereby notified that it has been named as defendant in a formal complaint filed on on July 10, 1992, a copy of which is attached hereto.

Pursuant to 807 KAR 5:001, Section 12, Columbia Gas is HEREBY ORDERED to satisfy the matters complained of or to file a written answer to the complaint within 10 days from the date of service of this Order.

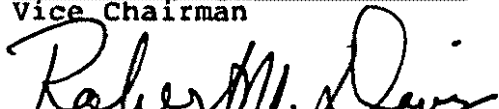
Should documents of any kind be filed with the Commission in the course of this proceeding, the documents shall also be served on all parties of record.

Done at Frankfort, Kentucky, this 17th day of July, 1992.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director, Acting

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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PUBLIC SERVICE
COMMISSION

AUXIER ROAD GAS COMPANY Complainant)

vs.)

COLUMBIA GAS COMPANY
OF KENTUCKY

Defendant)

) Case No.

) 92-285

COMPLAINT

Auxier Road Gas Company (Auxier), by counsel, for its Complaint states:

1. It is a natural gas distribution company regulated by the Public Service Commission (PSC). Its mailing address is Box 785, Prestonsburg, Ky. 41653;
2. Columbia Gas Company of Kentucky (Columbia) is a natural gas distribution company regulated by the PSC. Its mailing address is Box 117, Columbus, Oh. 43216-0117;
3. Auxier is a customer of Columbia;
4. Auxier gave proper notice to Columbia on May 31, 1991 of the cancellation of its IUS contract service effective November 1, 1991;
5. Subsequently, Auxier requested Mainline Transportation service from Columbia to replace the IUS service;
6. The transportation service was requested to enable Auxier to reduce its overall

cost of gas to its customers;

7. Auxier qualifies for the Mainline Transportation rate;

8. Columbia refused to allow Auxier to obtain service under this tariff, and instead billed it the GS rate for all service after the cancellation of the IUS service;

9. In an effort to resolve the problem, Auxier requested a conference with the Staff by letter dated March 12, 1992;

10. At the conference held on April 16, 1992, Columbia agreed to allow Auxier service under the Mainline rate effective May 1, 1992, if it met the tariff requirements;

11. Auxier believes that it has met those requirements, but Columbia has refused to execute the IS contract, necessary for the Mainline service;

12. Columbia demands that Auxier pay a disputed bill before allowing the Mainline service to commence;

13. This alleged arrearage is for service billed under the GS rate schedule;

14. The Mainline Tariff does not require payment of disputed bills prior to service;

15. Auxier has made a good faith effort to assure Columbia payment of any bill determined to be owed;

16. Auxier has made payments of \$14,240.00 to date as partial payment of the disputed bill;

17. Columbia is violating its tariff by adding a condition to the change of service not approved by the PSC;

18. Columbia is violating its tariff by refusing to initiate service to a customer that has met all tariff requirements.

COUNT II

1. Auxier has been billed for gas service under the GS rate since cancellation of the IUS contract;

2. Auxier requested and believed that it would receive Mainline Transportation service from the date of cancellation of the IUS contract;

3. The request for a change of service by Auxier to Columbia was for the purpose of reducing the cost of gas;

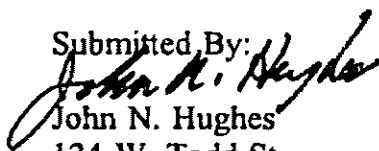
4. Contrary to Auxier's request for reduced cost service, Columbia placed Auxier under the GS rate;

5. Columbia was aware of Auxier's intention to reduce its gas cost; its gas supply arrangements; and that firm service was not wanted or needed;

6. The action of Columbia is contrary to Auxier's request and has resulted in excessive gas costs to Auxier;

For these reasons, Auxier requests that the Commission order Columbia to allow Auxier to immediately obtain service under the Mainline Transportation Tariff; that the Commission find that the charges to Auxier under the GS rate are improper; that the service provided to Auxier since cancellation of the IUS contract be billed at the Mainline Transportation Tariff rate and that Auxier be granted any and all other relief appropriate.

Submitted By:



John N. Hughes

124 W. Todd St.

Frankfort, Ky. 40601

Attorney for Auxier Road Gas Company