

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF COLUMBIA GAS OF )  
KENTUCKY, INC. FOR AN ORDER ISSUING A )  
CERTIFICATE OF PUBLIC CONVENIENCE AND )  
NECESSITY TO THE EXTENT SUCH A ) CASE NO. 96-015  
CERTIFICATE IS REQUIRED TO CONSTRUCT A )  
PIPELINE TO SERVICE COOPER TIRE, )  
INC. IN MT. STERLING, KENTUCKY )

O R D E R

Columbia Gas of Kentucky, Inc. ("Columbia") filed its application on January 30, 1996, requesting authority to construct a pipeline to serve Cooper Tire and Rubber Company, Inc. ("Cooper Tire"), or in the alternative, a declaration that such construction is in the ordinary course of business and requires no certificate under KRS 278.020(1). According to the application, Cooper Tire will be located in the Woodland Industrial Park near Mount Sterling, Kentucky.

Delta Natural Gas, Inc. ("Delta") was granted full intervention in this proceeding since it currently supplies natural gas to the occupants of the industrial park.

All requested discovery has been completed.

After a review of the record, the Commission finds that legal memoranda and oral argument on the issues presented in this case will be helpful. Memoranda should address the issue of duplication of facilities as that term is used in KRS 278.020(1) and any other relevant legal or policy issues the parties wish to include. At this time, no evidentiary hearing has been scheduled, however, any

party may, by appropriate motion, request that an evidentiary hearing be held. If no such request is received, the case will stand submitted to the Commission at the conclusion of the oral arguments scheduled below.

IT IS THEREFORE ORDERED that:

1. Legal memoranda shall be submitted by Columbia and Delta no later than May 15, 1996.

2. Oral arguments shall be heard before the Commission on May 20, 1996 at 10:00 a.m., Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky.

3. Each party shall have a maximum of 30 minutes to present its arguments.

4. Arguments shall be presented first by Columbia followed by Delta. Columbia may reserve a portion of its allotted time for rebuttal arguments.

5. Any party desiring an evidentiary hearing shall file its motion requesting same no later than 10 days from the date of this Order.

Done at Frankfort, Kentucky, this 29th day of April, 1996.

PUBLIC SERVICE COMMISSION

  
For the Commission

ATTEST:

  
Executive Director