

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE PETITION OF CUMBERLAND VALLEY)
ENERGY FOR A CERTIFICATE OF)
CONVENIENCE AND NECESSITY TO) CASE NO. 99-139
CONSTRUCT AND OPERATE A NATURAL)
GAS DISTRIBUTION SYSTEM)

O R D E R

On December 22, 1999, the Commission ordered the petition of Cumberland Valley Energy, Inc. ("Cumberland") to be held in abeyance for 30 days pending the filing of certain information as set out in Appendix A of the Order. The Commission's Order stated that if the required information was not filed within the stated time period, the petition would be denied. Cumberland has not filed the required information and, therefore, the petition should be dismissed.

IT IS THEREFORE ORDERED that Cumberland's petition be and is hereby dismissed without prejudice.

Done at Frankfort, Kentucky, this 4th day of February, 2000.

By the Commission

ATTEST:

Executive Director