

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE JOINT APPLICATION OF HERITAGE)	
OPERATING L.P. AND BRIGHT'S PROPANE)	
SERVICE, INC. FOR APPROVAL OF TRANSFER)	CASE NO. 2007-00494
AND ACQUISITION OF ASSETS AND)	
CERTIFICATES OF PUBLIC CONVENIENCE)	

O R D E R

On November 28, 2007, Bright's Propane Service, Inc. ("Bright's Propane") and Heritage Operating Limited Partnership ("Heritage") (collectively "Joint Applicants") jointly applied for approval of the transfer of assets of Bright's Propane to Heritage. Bright's Propane, a Kentucky corporation that owns and operates facilities that provide propane gas service to approximately 51 customers in Boyle County, Kentucky, is a utility subject to Commission jurisdiction.¹ KRS 278.020(5) and (6) require prior Commission approval of the proposed transfer and acquisition. KRS 278.020(6) provides that the Commission approve or deny the proposed application within 60 days of filing, January 28, 2008, unless it is necessary, for good cause, to extend the application for an additional 60 days.

The Commission established a procedural schedule for processing this matter requiring Joint Applicants to file responses to all supplemental information requests on or before January 11, 2008, and all hearing requests to be filed no later than January 16, 2008. On January 10, 2008, the Joint Applicants moved the Commission for an extension of time up to and including January 18, 2008 to respond to the Attorney

¹ KRS 278.010(3)(b).

General's supplemental information requests on the grounds that the information requested is contained in voluminous records outside Kentucky.

The Commission has reviewed the Joint Applicants' motion for an extension of time and finds that the request is reasonable and should be granted. Granting said request, however, requires the Commission to amend the previously established procedural schedule and presents good cause to extend the statutory review period an additional 60 days. We recognize that the review process in this case has already begun, and we will endeavor to render a decision in advance of the new statutory deadline.

IT IS THEREFORE ORDERED that:

1. The Joint Applicants' motion for an extension of time up to and including January 18, 2008 to respond to the Attorney General's supplemental information request is granted.
2. Any party wishing a hearing or informal conference in this matter shall file a written request with the Commission on or before January 28, 2008.
3. The 60-day time limit for review of the pending application shall be extended for an additional 60 days, pursuant to KRS 278.020(6).

Done at Frankfort, Kentucky, this 17th day of January, 2008.

By the Commission

Commissioner Clark Abstains.

ATTEST:



Executive Director