

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELAM UTILITY COMPANY, INC. AND ITS	)	
OWNER/SHAREHOLDER	)	
_____	)	CASE NO.
	)	2010-00292
ALLEGED ABANDONMENT OF SERVICE TO	)	
MORGAN COUNTY, KENTUCKY	)	

O R D E R

This matter arises upon the motion of the city of West Liberty, Kentucky ("West Liberty"), filed July 14, 2010, for full intervention. It appears to the Commission that such intervention is likely to present issues and develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings. The Commission, being otherwise sufficiently advised, finds that West Liberty should be granted full rights of a party in this proceeding.

IT IS HEREBY ORDERED that:

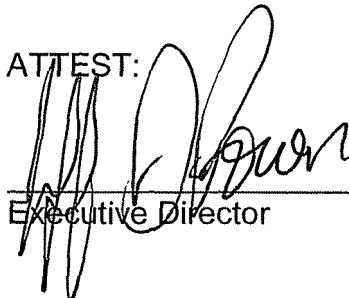
1. The motion of West Liberty to intervene is granted.
2. West Liberty shall be entitled to the full rights of a party and shall be served with the Commission's Orders and with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties after the date of this Order.

3. Should West Liberty file documents of any kind with the Commission in the course of these proceedings, West Liberty shall also serve a copy of said documents on all other parties of record.

By the Commission

ENTERED  
JUL 14 2010 *M*  
KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST:

  
\_\_\_\_\_  
Executive Director



STOLL · KEENON · OGDEN  
PLLC

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July 14, 2010

RECEIVED

JUL 14 2010

PUBLIC SERVICE  
COMMISSION

VIA HAND DELIVERY

Jeff DeRouen  
Executive Director  
Kentucky Public Service Commission  
211 Sower Boulevard  
Frankfort, KY 40601

RE: Elam Utility Company, Inc. and Its Owner/Shareholder - Alleged Abandonment  
of Service to Morgan County, Kentucky  
Case No. 2010-00292

Dear Mr. DeRouen:

Enclosed please find and accept for filing the original and ten copies of The City of West Liberty, Kentucky's Petition to Intervene in the above-referenced matter. Please confirm your receipt of this filing by placing the stamp of your Office with the date received on the enclosed additional copies and return them to me in the enclosed self-addressed stamped envelope.

Should you have any questions please contact me at your convenience

Sincerely,

W. Duncan Crosby III

WDC:ec  
Enclosures  
cc: Parties of Record

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COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

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PUBLIC SERVICE  
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In the Matter of:

ELAM UTILITY COMPANY, INC., )  
AND ITS OWNER/SHAREHOLDER )

\_\_\_\_\_)  
ALLEGED ABANDONMENT OF SERVICE )  
TO MORGAN COUNTY, KENTUCKY )

CASE NO. 2010-00292

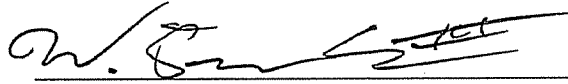
**PETITION TO INTERVENE OF THE CITY OF WEST LIBERTY, KENTUCKY**

Pursuant to KRS § 278.310 and 807 KAR 5:001 § 3(8), the City of West Liberty, Kentucky ("City"), requests that it be granted full intervenor status in the above-captioned proceeding. The outcome of this proceeding will have a significant impact on the City and its citizens, a number of whom currently take service from Elam Utility Company, Inc. ("Elam"). Moreover, the City is actively exploring the possibility of acquiring Elam's assets to ensure uninterrupted gas service to Elam's customers. The City therefore has a special interest in this matter that will not be adequately represented by the other parties. Furthermore, the City's participation in this matter is likely to assist the Commission to develop and identify facts and issues and in fully considering this matter without unduly complicating or disrupting the proceedings.

**WHEREFORE**, the City of West Liberty, Kentucky, respectfully requests the Commission to grant the City full intervenor status in this proceeding.

Dated: July 14, 2010

Respectfully submitted,



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City Attorney, City of West Liberty, Kentucky  
P.O. Box 508  
West Liberty, Kentucky 41472  
Telephone: (606) 743-2550

Counsel for the City of West Liberty, Kentucky

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the above and foregoing Petition to Intervene was served by first class United States mail, postage prepaid, to the following persons on the 14th day of July, 2010:

Dennis G. Howard II  
Lawrence W. Cook  
Paul D. Adams  
Assistant Attorneys General  
Office of the Kentucky Attorney General  
Office of Rate Intervention  
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West Liberty, KY 41472

Wilma B. Sorrell  
President  
Elam Utility Company, Inc.  
459 Main Street  
West Liberty, KY 41472



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Counsel for the City of  
West Liberty, Kentucky

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