## COMMONWEALTH OF KENTUCKY

## BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

MARTIN GAS, INC.

ALLEGED FAILURE TO COMPLY WITH KRS 278.300(1) AND KRS 278.160

CASE NO. 2017-00214

## ORDER

The Commission entered an Order on May 31, 2017, opening this investigation, setting a hearing date of August 8, 2017, and directing Martin Gas Inc. ("Martin Gas") to file written responses to the allegations contained therein within 20 days. On July 26, 2017, Martin Gas filed motions to file a late response and to schedule an informal conference ("IC") with Commission Staff ("Staff").

In its motion to file a late response, Martin Gas states that: 1) the Commission's May 31, 2017 Order was sent to an old electronic mail address and was not received by Martin Gas; 2) Martin Gas became aware of the Order upon a courtesy call from Staff; 3) Martin Gas had already admitted to the alleged violations in its Alternative Rate Filing case before the Commission and would have filed a response to the May 31, 2017 Order had it been aware of the Order; 4) and Martin Gas retained counsel for this proceeding on July 24, 2017. Martin Gas has also moved to cancel the August 8, 2017 hearing in this matter and to instead schedule an IC to narrow the issues to be heard, if a hearing proves necessary, and discuss whether a settlement of the issues might be possible.

The Commission finds that Martin Gas's motion to file a late response should be granted. Rather than cancel the hearing previously set for August 8, 2017, the Commission finds that the hearing should be continued to October 25, 2017. The Commission further finds that Martin Gas's motion to schedule an IC should be granted.

IT IS THEREFORE ORDERED that:

1. Martin Gas's motion to file a late response is granted and its response is deemed filed as of July 26, 2017.

2. The hearing set by the Commission's May 31, 2017 Order for August 8, 2017, is continued to October 25, 2017.

3. Martin Gas shall appear at the hearing scheduled for October 25, 2017, at 9:00 a.m. Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky, and be prepared to show cause why it should not be subject to the penalties prescribed in KRS 278.990(1) for the alleged violations of KRS 278.300 and KRS 278.160.

4. Pursuant to KRS 278.360 and 807 KAR 5:001, Section 9(9)(a), the record of the October 25, 2017 hearing shall be by digital video recording only.

5. An IC shall be held on August 17, 2017, at 10:00 a.m. Eastern Daylight Time, at the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky.

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By the Commission

ENTERED		
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	ENTUCKY PUBLIC RVICE COMMISSION	

Acting Executive Director

Case No. 2017-00214

\*Martin Gas, Inc. P. O. Box 783 Hindman, KY 41822

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