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COMMISSION

Magoffin County Attorney  
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February 18, 2014

Public Service Commission  
211 Sower Blvd.  
P. O. Box 615  
Frankfort, KY 40602-0615

RE: Charles E. Hardin, Jr., Individually and Charles E. Hardin, Jr.,  
Magoffin County Judge Executive O/B/O The Magoffin Fiscal  
Court and Consumers of Magoffin County Receiving Natural  
Gas Services From Kentucky Frontier Gas, LLC vs.  
Kentucky Frontier Gas, LLC  
Case No. 2014-00038  
Resubmitted Complaint

Dear Commissioner:

Enclosed please find the resubmitted Complaint per your instructions and letter dated February 10, 2014 in Case No. 2014-00038.

Thank you for your assistance.

Very truly yours,

  
Gregory D. Allen  
Magoffin County Attorney

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

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COMMISSION

IN THE MATTER OF:

CHARLES E. HARDIN, JR., Individually )  
and CHARLES E. HARDIN, JR., )  
MAGOFFIN COUNTY JUDGE EXECUTIVE )  
O/B/O THE MAGOFFIN FISCAL COURT )  
AND CONSUMERS OF MAGOFFIN COUNTY )  
RECEIVING NATURAL GAS SERVICES )  
FROM KENTUCKY FRONTIER GAS. LLC )

CASE NO. 2014-00038

COMPLAINANT )

COMPLAINT

VS: )

KENTUCKY FRONTIER GAS, LLC )

DEFENDANT )

\*\*\*\*\*

Comes now the Complainant, by counsel, Magoffin County Attorney, Gregory D. Allen,  
and for his Complaint and states as follows:

1) The Complainant, Charles E. Hardin, Jr., whose mailing address is 201 East  
Maple Street, P. O. Box 430, Salyersville, Kentucky 41465, is both an individual consumer of  
natural gas and the Magoffin County Judge Executive in charge of the joint oversight of public  
property held by the county and state including the Magoffin County Justice Center located in  
Salyersville, Kentucky which is supplied natural gas and is a customer/consumer of the  
Defendant complaint;

2) That the Complainant, Charles E. Hardin, Jr., M.D., files this Complaint  
individually and o/b/o the Magoffin Fiscal Court which oversees the operations and maintenance  
of the Magoffin County Justice Center and o/b/o the adversely affected and damaged Magoffin

County consumers/customers of the Defendant, pursuant to the Resolution of the Magoffin Fiscal Court duly approved at its meeting on January 29, 2014. (See attached "Exhibit A").

3) That the Defendant, Kentucky Frontier Gas LLC, is a foreign limited liability company filed with the Kentucky Secretary of States Office with a principal office address of 4891 Independence Street, #200, Wheat Ridge, CO 80033-6714, with the current registered agent and address named as CT Corporation System, 306 W. Main Street, Suite 512, Frankfort, Kentucky 40601, operated by members/managers, Robert J. Oxford, Steven E. Shute and Larry Rich of 4891 Independence Suite 200, Wheat Ridge, CO 80033;

4) That the Defendant is a public regulated natural gas utility company that sales natural gas to the complainant, The Magoffin County Justice Center and many other businesses and citizens of Magoffin County, Kentucky, with its rates and services being regulated by this commission;

5) That for the several years the Defendant has provided gas to Complainant and other consumers in Magoffin County, Kentucky, it has repeatedly shown a consistent pattern of being unable to provide an adequate supply of natural gas to meet the demands of its customers/consumers in Magoffin County and has failed to present or implement a reasonable solution to correct this annual winter problem of failing to provide an adequate natural gas supply to the complainant and other damaged paying customers/consumers.

6) That specifically, the Defendant has again failed to supply natural gas to the complainant and the other affected customers/consumers during this historically harsh winter in the months of January and February which has resulted in damages to property (i.e. broken water lines and consequential damages to the new Magoffin County Justice Center, local businesses and individual homeowners) thus jeopardizing the health, well being and safety of the young and

elderly consumers in Magoffin County for several days during documented sub-zero temperature readings;

WHEREFORE, the Complainant requests that this Commission conduct an investigation and hearing to address the issue of:

- 1) What operational structure the Defendant has in place to supply a safe and adequate natural gas supply to meet the demands of its consumers/customers;
- 2) What measures or company plan the Defendant has in place, or plans to put into effect, for correcting this re-occurring annual supply problem on behalf of the Complainant and its other consumers/customers of Magoffin County, Kentucky;
- 3) For any and all other relief to which to the Complainant is justly and properly entitled.

Dated at Salyersville, Kentucky, this 18<sup>th</sup> day of February, 2014.

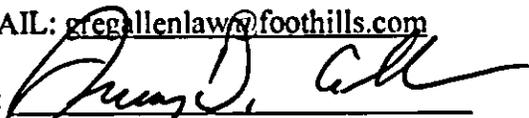
COMPLAINANT

  
\_\_\_\_\_  
CHARLES E. HARDIN, JR., M.D.,  
Individually and as MAGOFFIN COUNTY  
JUDGE EXECUTIVE O/B/O THE  
MAGOFFIN FISCAL COURT AND  
CITIZENS OF MAGOFFIN COUNTY  
RECEIVING NATURAL GAS SERVICES  
FROM KENTUCKY FRONTIER GAS

FEBRUARY 18<sup>th</sup>, 2014

COUNSEL FOR THE COMPLAINANT  
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BY:

  
\_\_\_\_\_  
GREGORY D. ALLEN

# Magoffin County Judge Executive Resolution

**WHEREAS**, During the past few weeks Magoffin County has experienced dangerously cold temperatures; and,

**WHEREAS**, In many instances thermometers have plunged so far below zero that both life and property have been in danger; and,

**WHEREAS**, In those times when dependable heat was most needed many Magoffin County customers of Kentucky Frontier Gas were without natural gas service; and,

**WHEREAS**, Kentucky Frontier Gas was unable to provide customers with adequate gas pressure that resulted in damage to property; and,

**WHEREAS**, The Magoffin County Justice Center was damaged when bitterly cold temperatures combined with no natural gas service resulted in the sprinkler system and plumbing freezing and causing water damage; and,

**WHEREAS**, The Magoffin County Fiscal Court wants to ensure that the citizens of Magoffin County are provided with adequate natural gas service so as to protect both their property and physical wellbeing; and,

**NOW, THEREFORE**, I, Charles E. Hardin Jr., M.D., Magoffin County Judge Executive, on behalf of the Magoffin County Fiscal Court, do hereby request a formal hearing before the Kentucky Public Service Commission on the issue of Kentucky Frontier Gas Company and their failure to provide the citizens of Magoffin County with a safe and dependable natural gas supply.

Done this 29th day of January, 2014

  
Magoffin County Judge Executive  
Charles E. Hardin Jr., M.D.