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October 5, 2016

RECEIVED

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PUBLIC SERVICE  
COMMISSION

***Via Hand-Delivery***

Ms. Talina Matthews, Ph.D.  
Executive Director  
Kentucky Public Service Commission  
P.O. Box 615  
211 Sower Boulevard  
Frankfort, KY 40602

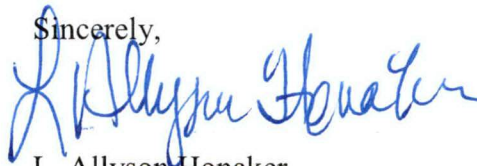
Re: In the Matter of: The Petition of Kentucky Frontier Gas, LLC for a Declaratory  
Order; Case No. 2016-00287

Dear Ms. Matthews:

Enclosed please find for filing with the Commission in the above-referenced case an original and ten (10) copies of First Baptist Church of Forest Hills' Response to the Commission's Order. Please return a file-stamped copy to me.

Please do not hesitate to contact me if you have any questions.

Sincerely,



L. Allyson Honaker

Enclosures

**COMMONWEALTH OF KENTUCKY**

**BEFORE THE PUBLIC SERVICE COMMISSION**

**IN THE MATTER OF:**

**THE PETITION OF KENTUCKY FRONTIER ) PSC CASE NO.**  
**GAS, LLC FOR A DECLARATORY ORDER ) 2016-00287**

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**FIRST BAPTIST CHURCH OF FOREST HILLS' RESPONSE  
TO THE COMMISSION'S SEPTEMBER 28, 2016 ORDER**

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Pursuant to the September 28, 2016 Order issued by the Kentucky Public Service Commission ("Commission") in the above styled case, First Baptist Church of Forest Hills ("First Baptist Church"), by counsel, hereby submits the following response:

1. The electronic mail address for First Baptist Church is 1stbaptistforesthills@gmail.com. The electronic mail addresses for First Baptist Church's attorneys are mdgoss@gosssamfordlaw.com and allyson@gosssamfordlaw.com.

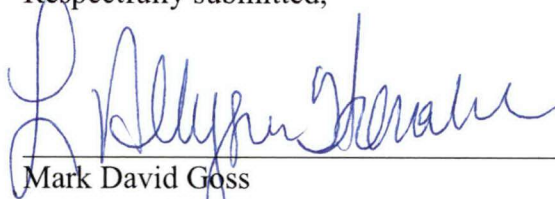
2. Determining whether the Commission has jurisdiction over this dispute and construing the 1971 Agreement primarily present questions of law for which no hearing is required.

3. First Baptist Church believes there are facts in dispute in this matter regarding the improper (albeit temporary) termination of natural gas service to First Baptist Church; however, First Baptist Church it is a small, rural, eastern Kentucky church and having witnesses travel to Frankfort for a hearing is not feasible. Any person who would have firsthand knowledge of the 1971 Agreement would be unable to make the trip due to age and health concerns. Furthermore, Mr. Varney, who spoke with Kentucky Frontier regarding the church's gas service being shut off and who authored the memorandum that was attached to the sur-reply in this matter, is physically

unable to make the trip to Frankfort. Therefore, due to the inability to have witnesses appear at a hearing in this matter, First Baptist Church does not believe it could offer any further evidence on the facts in dispute other than what has already been filed in the record of this case and therefore agrees to submit the case for a decision on the existing record.

WHEREFORE, First Baptist Church respectfully requests that the Commission issue a decision in this matter based on the existing record.

Respectfully submitted,



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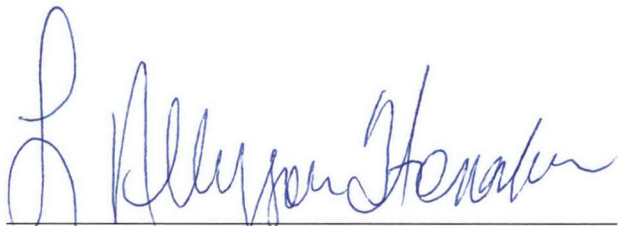
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*Counsel for First Baptist Church of Forest Hills*

### **CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the foregoing has been served, by delivering same to the custody and care of the U.S. Postal Service, postage pre-paid, this 5<sup>th</sup> day of October, 2016, addressed to the following:

John N. Hughes  
124 West Todd Street  
Frankfort, KY 40601



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*Counsel for First Baptist Church of Forest Hills*