

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

RONALD J. HALL)	
)	
COMPLAINANT)	
)	
v.)	CASE NO. 2005-00404
)	
EQUITABLE GAS COMPANY)	
)	
DEFENDANT)	

O R D E R

On September 28, 2005, Ronald J. Hall (“Complainant”) filed a formal complaint against Equitable Gas Company (“Equitable”). Pursuant to 807 KAR 5:001, Section 12, Equitable was ordered to satisfy or file a written answer to the complaint by October 17, 2005. Equitable failed to timely file a written answer. Consequently, a formal hearing before the Commission was scheduled for December 6, 2005.

On November 10, 2005, Complainant filed a document indicating that Equitable had provided service about a week after the complaint had been filed. On November 23, 2005, Commission Staff received a letter from Larry E. Frances, Supervisor for Equitable at its Prestonsburg, Kentucky office, stating that the Complainant did not apply for farm tap service with Equitable. Commission Staff examined the records of the Commission and found that there is an Equitable Production Company operating in the area of the Complainant.

On November 30, 2005, Equitable filed a motion for leave to file a late answer. Equitable tendered an answer and filed a response to the information request issued by Commission Staff. Equitable's late answer was ordered filed by the Commission. Commission Staff and Equitable also held an informal telephone conference on December 6, 2005.

It appears from the record in this case that Equitable Production Company is an affiliate of Equitable¹ and that Equitable Production Company was the entity to whom Complainant's application for service was directed.² It is Equitable Production Company which is now serving Complainant.³

We find that although Equitable was late in filing a response to the satisfy or answer Order, the complaint of Ronald J. Hall was satisfied within the time period allowed by the Commission's Order of October 7, 2005. Equitable stated that it did not receive the Orders of the Commission, but that, upon being so notified, it filed its responses to the Commission Orders.

It appears from the record that Equitable did not timely notify the Commission of a change of address as required by 807 KAR 5:003, Section 1.⁴ The Commission

¹ Equitable Answer filed November 30, 2005.

² The Complainant names Equitable Gas Corp. of Pikeville as the entity to whom he applied for service, but does not give an address other than Equitable Production Co., Baltimore, Maryland.

³ Equitable's Response to First Data Request, Item 2, filed November 30, 2005.

⁴ On November 30, 2005, Equitable filed a tariff revision that updated the business address from 200 Allegheny Center Mall, Pittsburgh, PA to 225 North Shore Drive, Pittsburgh, PA.

emphasizes the need for all utilities required to file with the Commission to adhere to 807 KAR 5:003, Section 1, and timely file updated information as required.

On January 13, 2006, Equitable filed a motion for leave to file an amended answer. Considering the ruling in this case, we find Equitable's motion is moot.

IT IS THEREFORE ORDERED that this case is dismissed and is removed from the Commission's docket.

Done at Frankfort, Kentucky, this 20th day of January, 2006.

By the Commission

ATTEST:



Executive Director