

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION  
FRANKFORT, KENTUCKY

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AUG 19 2009  
PUBLIC SERVICE  
COMMISSION

In the Matter of:

SIGMA GAS CORPORATION Complainant

vs.

CASE NO. 04-00018

B.T.U. GAS COMPANY, INC. Defendant

**REPLY TO THE RESPONSE OF COW CREEK GAS, INC TO THE  
COMMISSION'S ORDER DATED JUNE 30, 2009 AND TO B.T.U. GAS  
COMPANY'S JULY 16, 2009 RESPONSE**

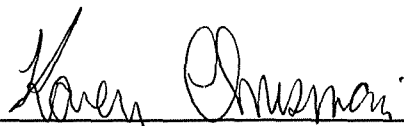
The Defendant, B.T.U. Gas Company, Inc. files the following Reply to the Response of Cow Creek Gas, Inc. to the Commission's order dated June 30, 2009, findings number 10 and number 11.

B.T.U. Gas filed a listing of affected customers as required by the Commission on June 30, 2009. According to the Commission's ruling these are the customers that Cow Creek must now provide service to. The ruling of June 30, 2009 was issued due to the petition of Sigma Gas, Cow Creek's successor in interest in this action. Sigma Gas requested these customers. In its response Cow Creek has filed a listing of the customers it has picked and has unilaterally decided it will accept as customers. BTU objects because this is not the ruling of the commission.

Specifically, in Finding 11 the Commission stated BTU is not authorized to serve the Salyersville Magoffin Teen Coalition, Burke Arnett and Tom Bailey's

home and garage. However, Cow Creek gas is now refusing to provide service to these customers under their response. However, according to the Commission's ruling, this action by Cow Creek is not allowable.

Additionally, Cow Creek is refusing to provide service to the Dixie Church, a customer in the Dixie area that BTU is not longer allowed to serve. This action is not authorized by the commission's ruling either.



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Counsel for Defendant B.T.U. Gas  
Company, Inc.

### **CERTIFICATE OF SERVICE**

I hereby certify a true and correct copy of the foregoing Response has been served by U.S. Mail, postage prepaid, this the 18th day of August, 2009 upon the following:

Hon. John N. Hughes  
124 W. Todd St.  
Frankfort, KY 40601

Estill B. Branham  
Sigma Gas Corporation, Inc.  
P.O. Box 22  
Salyersville, KY 41465

Hon. C. Kent Hatfield  
Hon. W. Duncan Crosby III  
Stoll Keenon Ogden, PLLC  
2000 PNC Plaza  
500 W. Jefferson St.  
Louisville, KY 40202-2828

And the original for filing to the PSC at:

PSC  
211 Sower Blvd.  
P.O. Box 615  
Frankfort, KY 40602-0615

  
KAREN CHRISMAN