

## STOLL·KEENON·OGDEN

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July 6, 2006

RECEIVED

Ms. Elizabeth O'Donnell Executive Director Kentucky Public Service Commission P.O. Box 615 Frankfort, KY 40602 JUL 0 6 2006

PUBLIC SERVICE COMMISSION

RE: Case No. 2006-00165; Johnson County Gas Company, Inc.

Dear Ms. O'Donnell:

Enclosed please find an original and ten copies of Johnson County Gas Company, Inc.'s Joint Motion for Extension of Time to File Formal Response, Informal Conference, and Continuance of Hearing Date. Please indicate receipt of this filing by your office by placing a file stamp on the extra copy and returning to me via our runner.

Very truly yours,

STOLL KEENON OGDEN PLLC

W. Duncan Crosby III

## COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

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JUL 0 6 2006

In the Matter of:

JOHNSON COUNTY GAS COMPANY, INC. AND BUD RIFE, INDIVIDUALLY AND AS SOLE OFFICER OF THE UTILITY	) PUBLIC SERVICE COMMISSION
AN INVESTIGATION INTO THE STATUS AND DISCONTINUANCE OF THE KENTUCKY-WEST VIRGINIA GAS COMPANY SURCHARGE TARIFF OF JOHNSON COUNTY GAS COMPANY, INC. AND ALLEGED VIOLATIONS OF A COMMISSION ORDER	,

## JOINT MOTION FOR EXTENSION OF TIME TO FILE FORMAL RESPONSE, INFORMAL CONFERENCE, AND CONTINUANCE OF HEARING DATE

Johnson County Gas Company, Inc. ("Johnson County"), and Bud Rife ("Rife") (collectively "Movants") respectfully move the Public Service Commission of Kentucky ("Commission") to issue an order (1) extending by two weeks the deadline for filing a formal response to, and required by, the Commission's June 16, 2006 Order in this proceeding; (2) scheduling an informal conference at the Commission's offices after Movants file their formal response; and (3) continuing the formal hearing in this proceeding, currently scheduled for July 24, 2006, until a time after the requested informal conference. In support of their Motion, Movants state:

On June 16, 2006, the Commission issued an Order initiating this proceeding ("June 16 Order"), which Order found prima facie evidence that Johnson County and Rife may have violated the Commission's May 26, 2004 Order in Case No. 2004-00072. The June 16 Order required Movants to file within twenty days of the date of the Order (i.e., by July 6, 2006) a

<sup>&</sup>lt;sup>1</sup> In the Matter of: Johnson County Gas Company, Inc, and Bud Rife, Individually and as Sole Officer of the Utility - Alleged Violations of Commission Order.

written response to the Order's allegations.<sup>2</sup> Additionally, the June 16 Order scheduled a formal hearing on July 24, 2006, to address the Order's allegations and related issues.

Movants respectfully move the Commission to grant an additional two weeks for filing of formal, written response to the June 16 Order's allegations. Movants have only very recently retained counsel in this proceeding. Counsel will require the requested additional time to become familiar with the issues in this case and to obtain copies of relevant records, as well as to assist in preparing the written response. Therefore it will not be feasible for Movants to file their written response today, necessitating this Motion for a two-week extension.

Movants further move the Commission to schedule an informal conference after Movants file their written response. Movants believe such an informal conference will aid Commission Staff and Movants in identifying and focusing on factual issues which may be stipulated, as well as the existence of disputed facts and relevant legal issues. An informal conference may also facilitate possible resolution of the case in an expeditious manner. Movants accordingly also move the Commission to continue the formal hearing date in this proceeding until a time after the requested informal conference.

WHEREFORE, for these reasons, Johnson County Gas Company, Inc., and Bud Rife respectfully move the Commission issue an order (1) extending by two weeks the deadline for filing a formal response to, and required by, the Commission's June 16, 2006 Order in this proceeding; (2) scheduling an informal conference at the Commission's offices after the Movants file their formal response; and (3) continuing the formal hearing in this proceeding, currently scheduled for July 24, 2006, until a time after the requested informal conference.

<sup>&</sup>lt;sup>2</sup> June 16 Order at Ordering ¶ 6.

Dated: July 6, 2006

Respectfully submitted,

C. Kent Hatfield

W. Duncan Crosby III

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Counsel for Johnson County Gas Company,

Inc., and Bud Rife

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that an original and ten copies of this joint motion were hand delivered on the 6th day of June, 2006 to Elizabeth O'Donnell, Executive Director, Kentucky Public Service Commission, 211 Sower Boulevard, Frankfort, Kentucky 40601.

Counsel for Johnson County Gas Company,

Inc., and Bud Rife