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PUBLIC SERVICE
COMMISSION

THOMPSON LAW OFFICE
35 W 3RD AVENUE, SUITE 106
WILLIAMSON, WV 25661

MIKI THOMPSON, ATTORNEY
LICENSED IN WV AND KENTUCKY

PHONE 304 235-2223
FAX 304 235-6458
E MAIL thompsonlawoffice@msn.com

FAX TRANSMITTAL COVER SHEET

DATE: November 9, 2007

FAX NUMBER: 502-564-3460

TIME: 4:00 p.m.

PLEASE DELIVER THE FOLLOWING PAGES TO:

NAME: PUBLIC SERVICE COMMISSION

COMPANY/FIRM: COMMONWEALTH OF KENTUCKY

CITY/STATE: FRANKFORT, KENTUCKY

FROM: THOMPSON LAW OFFICE

RE: MIKE LITTLE GAS COMPANY

WE ARE TRANSMITTING 5 PAGES INCLUDING THIS COVER SHEET.

REMARKS: If you should have any questions, please call our office at the above telephone number.

PLEASE CALL KIM @ (304) 235-2223 IF YOU HAVE PROBLEMS WITH THIS TRANSMISSION.

NOTICE

The information contained in this transmission is privileged and confidential. It is intended for the use of the individual or entity named above. If the reader of this message is not the intended addressee, the reader is hereby notified that any consideration, dissemination or duplication of this communication is strictly prohibited.

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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PUBLIC SERVICE
COMMISSION

In the matter of:

AN INVESTIGATION OF MIKI LITTLE)
GAS COMPANY, INC., MIKI THOMPSON)
WINNIE GREER, AND DANIEL GREER,)
INDIVIDUALLY AND AS OFFICERS OF)
THE UTILITY, FOR ALLEGED VIOLATIONS)
OF COMMISSION ORDERS AND SAFETY)
VIOLATIONS PURSUANT TO KRS 278.990)
AND KRS 278.992)

CASE NO. 2007-00107

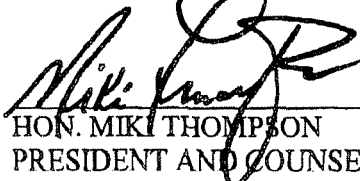
RESPONSE TO QUESTIONS AS ORDERED BY THE COMMISSION

Comes now Mike Little Gas and reports the following responses to inquiries made by the Commission in its order of November 1, 2007, and states as follows:

1. Provide any correspondence sent to Mike Little concerning the direction to cease construction for the pipeline.
On November 8, 2007, Mike Little, received a letter by fax from the Transportation Cabinet, which was dated October 30, 2007. See Exhibit #1 attached hereto. This letter was in response to Mike Little's written request by letter dated October 23, 2007. See Exhibit #2 attached hereto.
2. Provide any inquiry that Mike Little has made as to the reason for such cease-construction directive.
See Exhibit #2, for written inquiry dated October 23, 2007. Additionally, Mike Little has made numerous verbal requests and has met on site on at least three (3) occasions with Gene Layne of the Permits Division.
3. Provide any timetable Mike Little has for the completion of the construction.
Mike Little can have the lines complete within 60 days barring bad weather conditions. Previously, the remaining replacement would have taken less than 30 days to complete, however, in the event a permit cannot be obtained to place the line as planned, the line must take a circuitous route which will take some additional time.
4. Does Mike Little have an encroachment permit to construct a pipeline on state right-of-way?
Mike Little does not currently have an encroachment permit to construct a pipeline but was proceeding with the current project based on the theory of implied easement. The pipeline had been in that location for more than fifty (50) years. And in fact, Mike Little has already replace the line in that location, but has been directed to abandon it. Mike Little has requested an application for a permit for the replacement and although the Transportation Cabinet stated in their letter that an application had been sent, it in fact has not and another request has been made.

RESPECTFULLY SUBMITTED,
MIKE LITTLE GAS COMPANY, INC.

By:


HON. MIKI THOMPSON
PRESIDENT AND COUNSEL

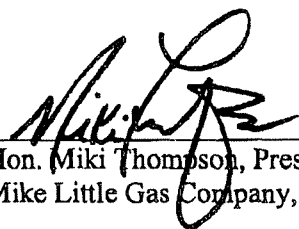
Hon. Miki Thompson, #84602
Thompson Law Office
35 West 3rd Avenue, Suite 106
Williamson, WV 25661

CERTIFICATE OF SERVICE

This is to certify that I have served a true and exact copy of the foregoing *RESPONSE TO QUESTIONS AS ORDER BY THE COMMISSION* by facsimile to 502-564-3460 and by U. S. Mail postage prepaid to the following:

Commonwealth of Kentucky
Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, Kentucky 40602-0615
502-564-3460

Dated this the 9TH day of November, 2007.



Hon. Miki Thompson, President
Mike Little Gas Company, Inc.

MIKE LITTLE GAS COMPANY, INC.

P.O. Box 69
Melvin, Kentucky 41650

606 452-2475

October 23, 2007

Dani Hall
Executive Director
Kentucky Department of Transportation
109 Loraine Street
Pikeville, Kentucky 41501
fax 606 433-7791

Re: Construction for Mike Little Gas Company, Inc.

Dear Mr. Hall;

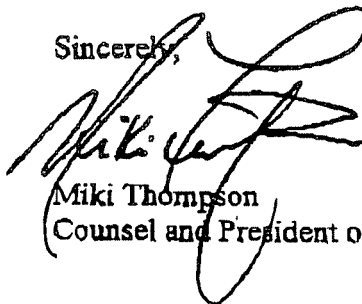
Pursuant to our conversation of this day, please forward the following information to me at your earliest convenience.

1. Your directive as to the continuation of pipe repair and replacement in Melvin, Floyd County Kentucky.
2. All the law, statutes, policies and or regulations upon which you rely in issuing your directives.
3. An application for a permit for the replacement and repair of gas lines at this location in Melvin, Kentucky.

Please be mindful of the fact that our pipelines have been in place for more than 50 years and it is our position that we have an easement to repair and replace said pipelines. Also, this is to advise that Mike Little Gas located its pipeline in this area at a time when the road was not at its current location and that the highway has encroached upon our implied easements in several locations and that in fact the highway has built over our lines.

Thank you for your prompt attention to this matter. If you have any questions, please call me at 304 235-2223 or you may call my cell at 304 687-4857.

Sincerely,



Miki Thompson
Counsel and President of MLG Co.

EXHIBIT

tabbles

FROM

2 (TMU)OCT 25 2007 11:00/ST. 01:58/NO. 7519501785 P

(SAT)NOV 10 2007 5:03/ST. 5:02/NO. 7519501828 P 4



TRANSPORTATION CABINET

Department of Highways District 12 Office
109 Loraine Street
Pikeville, KY 41501
(606) 433-7791

Ernie Fletcher
Governor

Bill Nighbert
Secretary

Marc Williams
Commissioner of Highways

October 30, 2007

Mike Little Gas Company, Inc.
Attn: Miki Thompson
P.O. Box 69
Melvin, KY 41650

Subject: Construction of Gas Lines on Highway Right-of-Way
Proper Utility Placement
Floyd County; KY 122; MP

Dear Ms. Thompson,

We have received your letter dated October 23, 2007 and we offer the following information in response.

We are advising the repair and replacement of the two (2)" gas line along KY 122 in the Melvin area to be placed at the back of the highway drainage ditch or at the toe of the roadway slope if you desire to remain on the Commonwealth's right-of-way. However, if you are repairing a leak in your line, and not laying a new section of line to replace a damaged section, you will be allowed to expose your leak and repair it, if said exposure operations will not adversely affect the safety or stability of the roadway surface or slope.

Please refer to 603 KAR (Kentucky Administrative Regulations) 5:150, and KRS (Kentucky Revised Statutes) 177.103, and 177.106 for current laws, statutes, policies and regulations which the Department relies on, but is not limited to, when issuing directives concerning utility placement and repairs within the Commonwealth's right-of-way. We also rely on a Permits Guidance Manual which is derived from the preceding laws and regulations. A copy of this manual can be obtained from the following website, <http://transportation.ky.gov/traffic/permitsmanual.htm>.

We have enclosed, for your convenience, an encroachment permit application along with a TC 99-9 (Guide for Obtaining Encroachment Permits) which will guide you through the proper procedures of applying for an encroachment permit. If you have any other questions or comments on this matter, please contact Gene Layne of our Permits Division at (606) 433-7791 ext. 302.

Sincerely,

Dan L. Hall PE
Chief District Engineer

GL:DH:JMP
enclosure

