

Commonwealth of Kentucky
Before the Public Service Commission

RECEIVED

JAN 04 2008

**PUBLIC SERVICE
COMMISSION**

In the Matter of:

THE JOINT APPLICATION OF HERITAGE)
OPERATING L.P. AND BRIGHT'S PROPANE)
SERVICE, INC. FOR APPROVAL OF) Case No. 2007-00494
TRANSFER AND ACQUISITION OF ASSETS)
AND CERTIFICATES OF PUBLIC)
CONVENIENCE)

ATTORNEY GENERAL'S SUPPLEMENTAL
REQUEST FOR INFORMATION (REDACTED VERSION)

Comes now the intervenor, the Attorney General of the Commonwealth of Kentucky, by and through his Office of Rate Intervention, and submits this Supplemental Request for Information to Heritage Operating L.P., and Bright's Propane Services, Inc. [hereinafter jointly referred to as "Joint Applicants"] and to be answered by the date specified in the Commission's Order of Procedure, and in accord with the following:

(1) In each case where a request seeks data provided in response to a staff request, reference to the appropriate request item will be deemed a satisfactory response.

(2) Please identify the witness who will be prepared to answer questions concerning each request.

(3) These requests shall be deemed continuing so as to require further and supplemental responses if the company receives or generates additional

information within the scope of these requests between the time of the response and the time of any hearing conducted hereon.

(4) Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association, be accompanied by a signed certification of the preparer or person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

(5) If any request appears confusing, please request clarification directly from the Office of Attorney General.

(6) To the extent that the specific document, workpaper or information as requested does not exist, but a similar document, workpaper or information does exist, provide the similar document, workpaper, or information.

(7) To the extent that any request may be answered by way of a computer printout, please identify each variable contained in the printout which would not be self evident to a person not familiar with the printout.

(8) If the company has objections to any request on the grounds that the requested information is proprietary in nature, or for any other reason, please notify the Office of the Attorney General as soon as possible.

(9) For any document withheld on the basis of privilege, state the following: date; author; addressee; indicated or blind copies; all persons to

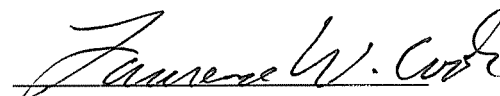
whom distributed, shown, or explained; and, the nature and legal basis for the privilege asserted.

(10) In the event any document called for has been destroyed or transferred beyond the control of the company, please state: the identity of the person by whom it was destroyed or transferred, and the person authorizing the destruction or transfer; the time, place, and method of destruction or transfer; and, the reason(s) for its destruction or transfer. If destroyed or disposed of by operation of a retention policy, state the retention policy.

(11) Please provide written responses, together with any and all exhibits pertaining thereto, in one or more bound volumes, separately indexed and tabbed by each response.

Respectfully submitted,

GREGORY D. STUMBO
ATTORNEY GENERAL



Dennis G. Howard, II
Lawrence W. Cook
Paul D. Adams
Assistant Attorneys General
1024 Capital Center Drive, Suite 200
Frankfort, KY 40601-8204
502.696.5453 (telephone)
502.573.8315 (facsimile)

Certificate of Service and Filing

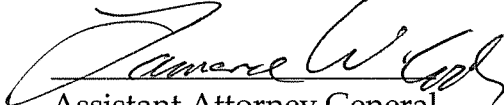
Counsel certifies that an original and ten photocopies of the Attorney General's Supplemental Request For Information were served and filed by hand delivery to Beth O'Donnell, Executive Director, Public Service Commission, 211 Sower Boulevard, Frankfort, Kentucky 40601; furthermore, it was served by mailing a true and correct copy of the same, first class postage prepaid, to:

Thomas B. Bright, Sr.
President
Bright's Propane Service Company
P.O. Box 321
Burgin, KY 40310, and

Helen C. Helton
Tilford, Dobbins, Alexander, Buckaway, and Black
1400 One Riverfront Plaza
Louisville, KY 40202

Deborah T. Eversole
Stoll Keenon Ogden
2000 PNC Plaza
500 W. Jefferson St.
Louisville, KY 40202

all on this 4th day of January, 2007.


Assistant Attorney General

Attorney General's Supplemental Request for Information
to the Joint Applicants
Case Number 2007-00494

1. Please reference the joint applicants' response to OAG 1-1. Provide information describing in detail Mr. Manion's experience in operating a propane distribution system similar to that of Bright's. (The description should include at a minimum the location, size, and reliability of any examples.) Regardless of whether Mr. Manion has any such such experience, identify all other persons on the Bright's management team (other than consultants such as John Bright) who have experience with piped propane distribution systems.

2. Reference the Joint Applicants' response to PSC 1-4. Heritage's response indicates that it ". . . operates no distribution systems and has no systems that are rate regulated."
 - a. Will the Joint Applicants acknowledge that at the informal conference held in this matter at the Public Service Commission on November 15, 2007, that Heritage stated that it owned and operated other propane distribution systems in other states? If so, identify the state, county and city where each such system is located.

 - b. For each such propane delivery system identified, state the number of customers served, and for how many years each system has been in operation.

[BEGIN CONFIDENTIAL]

ii.

[END CONFIDENTIAL]

- iii. If Heritage has no experience with piped propane distribution systems, state precisely how its experience with transportation / transmission pipeline systems will enable it to operate a distribution system.
3. Please reference the joint applicants' response to OAG 1-1 d. Provide information describing in detail Mr. Manion's experience in addressing and handling customer service issues in a propane distribution system similar to that of Bright's.
4. Is Heritage acquiring all the liabilities of Bright's? If not, please specify which ones are not being acquired.
5. Please reference the joint applicants' response to OAG 1-5. Explain what is meant when the joint applicants state that "this case concerns the transfer not of a company but its assets."
 - a. Explain in detail how the consistency of a regulated entity's board of directors is irrelevant to a case such as the instant one in which the central issue is the transfer of ownership of, or control, or the right to control a utility under the jurisdiction of the Kentucky Public Service Commission.
6. Please reference the Joint Applicants' response to AG DR-1-6. Provide the response requested.
7. Please reference the joint applicants' response to OAG 1-8 which refers to the joint applicants' response to OAG 1-22 which was not provided but was "redacted." Provide the response.
8. Reference the Joint Applicants' response to AG DR-1-15. Provide copies of any and all due diligence reports which in any manner address the transaction contemplated in Joint Applicants' petition, regardless of the specific purpose for which said reports were created.
9. Please reference the joint applicants' response to OAG 1-17. The answer was non-responsive because the joint applicants' apparently interpreted the question to relate to meetings *convened specifically for the purpose of discussing the transfer* rather than meetings where it was discussed, as the Attorney General had intended. Please provide the response.
10. Reference the Joint Applicants' response to AG DR-1-20. Provide the information requested (i.e., the question requested "financial analyses;" no

reference was made to “financing”).

11. Please reference the joint applicants’ response to OAG 1-21 which refers to the joint applicants’ response to OAG 1-22 which was not provided but was “redacted.” Provide the response.
12. Please reference the joint applicants’ response to OAG 1-23. The response refers to “assets.” Do the joint applicants confirm that Bright’s will not in any manner become financially liable for any debts as well?
13. Please reference the joint applicants’ response to OAG 1-28. The first part of the question does not ask for comment on the merits, or lack thereof, of any allegation; rather, the question requests the joint applicants to identify any such allegation(s). Please provide same.
14. Please provide the name of the witness who provided to each response in the initial request for information as well as these supplemental ones.