

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELAM UTILITY COMPANY, INC.,)	
AND ITS OWNER/SHAREHOLDER)	
_____)	
)	CASE NO. 2010-00292
ALLEGED ABANDONMENT OF SERVICE)	
TO MORGAN COUNTY, KENTUCKY)	

ORDER

On July 9, 2010, the Commission initiated this proceeding to determine Elam Utility Company, Inc.'s ("Elam") ability to continue providing adequate, efficient and reasonable service to Morgan County or whether Elam has abandoned that service and its assets should be placed under the control and responsibility of a receiver. The matter was set for a hearing on July 16, 2010. The Commission convened the hearing as ordered; however, neither Elam nor its owner appeared and the hearing was continued until July 26, 2010 at 10:00 a.m. Eastern Daylight Time.

On July 22, 2010, the City of West Liberty, Kentucky ("West Liberty"), the sole intervenor in this proceeding, moved the Commission to hold this proceeding in abeyance during the pendency of Case No. 2010-00302,¹ a related case now before this Commission. West Liberty states in support of its motion that it has reached an agreement with Elam to purchase its assets and that it has also reached an agreement

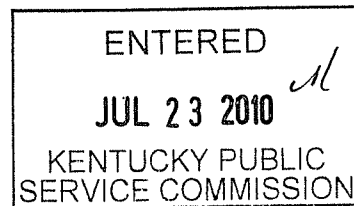
¹ Case No. 2010-00302, Application of the City of West Liberty, Kentucky for Approval to Acquire the Utility Assets of Elam Utility Company, Inc. and for Approval of a Management Agreement.

with Columbia Gas Transmission LLC and Columbia Gulf Transmission Company to refrain from terminating gas service to Elam until the Commission renders its final decision in Case No. 2010-00302 or August 13, 2010, whichever first occurs.

Having reviewed the motion and being otherwise sufficiently advised, the Commission finds that good cause exists to grant West Liberty's motion.

IT IS THEREFORE ORDERED that this proceeding is held in abeyance during the pendency of Case No. 2010-00302 and the hearing scheduled for July 26, 2010 is cancelled until further order.

By the Commission



ATTEST:

for *Cavan D. Greenwell*
Executive Director

Honorable W. Duncan Crosby III
Attorney at Law
Stoll Keenon Ogden, PLLC
2000 PNC Plaza
500 W Jefferson Street
Louisville, KY 40202-2828

Kim Ison Gevedon
Attorney at Law
579 Main Street, Suite 2
P.O. Box 216
West Liberty, KY 41472

Wilma B Sorrell
President
Elam Utility Company, Inc.
459 Main Street
West Liberty, KY 41472