

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELAM UTILITY COMPANY, INC.)
AND ITS OWNER/SHAREHOLDER)
_____)
ALLEGED ABANDONMENT OF SERVICE)
TO MORGAN COUNTY, KENTUCKY)

CASE NO. 2010-00292

ORDER

On July 9, 2010, the Commission initiated this proceeding to determine whether Elam Utility Company, Inc. ("Elam Utility") had the requisite ability to continue providing adequate, efficient and reasonable service to Morgan County or whether Elam Utility's assets should be considered abandoned and placed under the control and responsibility of a receiver. The Commission subsequently ordered this case placed in abeyance pending its decision on the city of West Liberty, Kentucky's ("West Liberty") application to acquire the assets of Elam Utility.¹ On August 13, 2010, the Commission approved West Liberty's requested acquisition, and it has been advised that the transfer was effectuated on August 25, 2010.

The Commission finds that the completion of West Liberty's acquisition of Elam Utility's assets renders this proceeding moot and the proceeding should be dismissed.

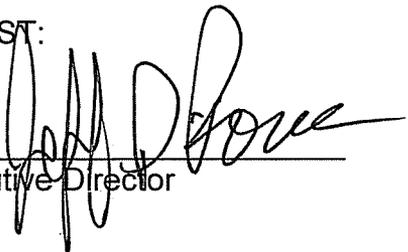
¹ Case No. 2010-00302, Application of the City of West Liberty, Kentucky for Approval to Acquire the Utility Assets of Elam Utility Company, Inc. and for Approval of a Management Agreement (Ky. PSC Aug. 13, 2010).

IT IS THEREFORE ORDERED that this proceeding is dismissed and removed from the Commission's docket.

By the Commission

ENTERED *EW*
SEP 23 2010
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



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