

DOC11R

**Case Management System - KY Public Service Commission***Regular Cases Before the Commission as of December 26, 2024***2009-00362**

RECEIVED: 09/25/09

FILED: 09/25/09

FINAL: 02/10/10

REOPENED: 12/16/09

SUSPENSION DATE:

CASE NATURE: Alleged Violations of Filed Tariff Gas Cost Adjustment Clause

**CASE CODE**

Investigation - Rates

**UTILITIES:**

Elam Utility Company, Inc.

**HEARINGS:**

11/12/09 Formal Hearing

10/15/09 Informal Conference

**INDEX OF EVENTS:**

02/10/10 Elam's penalty checks in amount of \$100.00 and \$2,500.00  
02/10/10 Receipt of Payment  
01/26/10 Letter sent to Elam reminding of penalty not be filed as of 1/25  
12/16/09 Order Entered: Settlement agreement dated Nov 9,09 is incorporated into this Order: Terms and conditions set forth in the agreement are adopted and approved: Elam shall notify the PSC if it discharges the accounting firm: and if discharged shall notify the PSC within 20 days of the date of discharge: Elam is assessed a penalty of 100.00 to be paid within 30 days of the date of this order: Wilma Ison is assessed a penalty of 10,000 with 2,500 payable within 60 days of the date of this Order: 7,500 balance is suspended for 12 months from the date of this Order at which time the balance will be forgiven if no further violations have occurred: Upon timely payment by Elam and Wilma of the penalties assessed herein this case shall be closed and removed from the PSC docket without a further Order of the PSC

11/09/09 Elam Utility Company's Settlement Agreement  
11/05/09 Order Entered: The Formal Hearing scheduled for Elam and Wilma Ison on Nov 12, 09 is cancelled and continued generally subject to further Orders of the PSC

10/26/09 Memorandum dated 10/26/09 for Informal Conference of 10/22/09; Comments, if any, due within five days of receipt of letter

10/16/09 Commission staffs notice rescheduling informal conference  
10/15/09 Kim Ison Gevedon's Entry of Appearance and Request for Reschedule of Informal Conference (original)  
10/13/09 Kim Ison Gevedon's Entry of Appearance and Request for Reschedule of Informal Conference  
10/07/09 Commission Staff's Notice of Informal Conference  
10/02/09 Elam Utility Company's Request for Informal Conference  
09/25/09 Order entered: Elam and Wilma Ison individually and as President of Elam shall appear before the PSC on Nov 12, 09 at 10 am in Hearing Room 1 of the PSC offices for the purpose of presenting evidence concerning the failure to file Elams CGA for four quarters and showing cause why Elam and Wilma jointly and severally should not be subject to the penalties prescribed in KRS 278.990 (1) for each violation: PSC does not favor motions for continuance and will grant them only when such a motion is made in writing and states a compelling reason for granting the motion: Corporate entities are advised that under Kentucky law a corporation its employees and any representative not licensed to practice law in Kentucky are not permitted to make objections examine or cross examine witnesses in adm hearings: Within 20 days of the date of this Order Elam and Wilma Ison shall each file a written response to the PSC concerning the allegations contained herein: Any motion requesting an informal conference with the PSC staff to consider any matter that would aid in the handling or disposition of this proceeding shall be filed with the PSC no later that 20 days from the date of this Order: Pursuant to KRS 278.360 the record of the formal hearing shall be kept by videotape any party requesting a court reporter shall file a motion within 10 business days of the date of this Order requesting that the PSC schedule a court reporter to provide a written transcript of the Hearing.

Total Number of Cases: 1