

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

A JOINT APPLICATION OF DANNY)
PRESTON AND BETTY PRESTON, DAVIS)
BRANCH ROAD, VAN LEAR, KENTUCKY)
41265 AND JUPITER GAS COMPANY,)
INC., A KENTUCKY CORPORATION WITH)
ITS PRINCIPAL PLACE OF BUSINESS)
AT 865 SPARTA COURT, LEXINGTON,)
KENTUCKY 40504 FOR THE SALE AND)
PURCHASE OF ALL ISSUED AND OUT-)
STANDING SHARES OF JOHNSON COUNTY)
GAS COMPANY, INC., A KENTUCKY)
CORPORATION WITH ITS PRINCIPAL)
PLACE OF BUSINESS LOCATED IN)
VAN LEAR, JOHNSON COUNTY,)
KENTUCKY 41265)

CASE NO. 8966

ORDER

On September 11, 1984, the Commission affirmed its denial of the proposed transfer of Johnson County Gas Company ("Johnson County"). On September 13, 1984, the Attorney General of the Commonwealth of Kentucky ("Attorney General"), an intervenor in this proceeding, filed a motion to amend the September 11, 1984, Order. It is the Attorney General's position that all terminations of service by the previous management of Johnson County are invalid as of June 19, 1984, the date the Commission held that Jupiter Gas Company was not the lawful operator of the utility.

On September 12, 1984, the United States Bankruptcy Court appointed Mr. B. E. Mullins of Paintsville, Kentucky, as the trustee for Johnson County. Accordingly, the Commission for-

warded the Attorney General's motion to Mr. Mullins for his response. On November 9, 1984, Mr. Mullins responded by letter stating that he, as trustee for Johnson County, is currently reviewing all cases where service was terminated by the previous management of Johnson County, and that he will reestablish service to those customers who either pay their bills entirely or make a good faith effort to become current with the company within a reasonable period of time. Mr. Mullins further stated that if any disconnections made since June 19, 1984, are found to be illegal, he will reconnect such customers without a reconnect fee.¹

Having considered this matter and being advised, the Commission finds that Mr. Mullins' procedure of reviewing each case of terminated service on its own merits adequately protects the customers of Johnson County from any unreasonable disconnections. For this reason, the Commission will deny the Attorney General's motion to amend.

IT IS THEREFORE ORDERED that the Attorney General's motion to amend the September 11, 1984, Order on Rehearing be and it hereby is denied.

¹ A copy of Mr. Mullins' letter is attached as an Appendix to this Order.

Done at Frankfort, Kentucky, this 20th day of November, 1984.

PUBLIC SERVICE COMMISSION

Richard D. Demery
Chairman

Walter J. ...
Vice Chairman

Sam Shuck
Commissioner

ATTEST:

Secretary

MULLINS LAW OFFICES

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B. ELWOOD MULLINS
WILLIAM C. MULLINS
SUSAN MULLINS JOHNSON

RECEIVED

November 7, 1984

NOV 09 1984

P S C
GENERAL COUNSEL

Mr. William M. Sawyer
General Counsel
Public Service Commission
730 Schenkel Lane
Post Office Box 615
Frankfort, Kentucky 40602

Re: Johnson County Gas Company

Dear Mr. Sawyer:

In reply to your letter of November 2, 1984, please be advised that I, as Trustee, will review, and am reviewing each case of terminated service, and on its own merits will re-establish service to those customers who either pay their bills entirely or make a good faith effort to become current with the company within a reasonable period. Upon review, if found to be illegal, reconnection will be made without reconnect fee.

If I can be of further service, please let me know.

Yours very truly,



B. E. MULLINS
Trustee, United States Bankruptcy Court

AMR

APPENDIX