

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF COLUMBIA GAS)
OF KENTUCKY, INC., FOR AN ORDER)
OF THE COMMISSION AUTHORIZING THE)
TERMINATION OF THE GAS SERVICE OF)
MARTIN GAS COMPANY OR IN THE) CASE NO. 8891
ALTERNATIVE FOR AN ORDER OF THE)
COMMISSION WHICH WOULD REQUIRE)
MARTIN GAS COMPANY TO PREPAY ITS)
MONTHLY GAS BILLS)

O R D E R

On August 30, 1983, Columbia Gas of Kentucky, Inc., ("Columbia") filed an application which sought authority to terminate the gas service to Martin Gas Company ("Martin"), or in the alternative sought a Commission Order which would require Martin to prepay its monthly gas bills. Prior to its application, Columbia had filed in Floyd Circuit Court for a judgment against Martin in the sum of \$110,663.29. At the time of Columbia's application to the Commission in this case, Martin was delinquent in payment to Columbia and owed Columbia \$153,843.47.

The Commission held a hearing in this case on September 29, 1983, and on October 14, 1983, issued an Order which continued the case and held any action in abeyance pending the resolution of motions for an appointment of a receiver filed in Floyd Circuit Court. The Order for continuance was issued at Martin's request.

On April 5, 1984, the Floyd Circuit Court appointed Mr. Glen Patton as receiver for Martin and on May 10, 1984, the Commission issued an Order setting this case for further hearing. Mr. Patton had been advised by a letter of April 26, 1984, of the pending action and of his required attendance as the court ordered receiver. On May 30, 1984, Columbia filed a motion requesting action similar to its original application. The motion outlined Columbia's efforts to recommend a receiver acceptable to the court and again specified its request for termination authority or for required prepayment. At that time, Martin owed Columbia \$162,083.61.

Mr. Patton attended the second hearing in this case and advised the Commission that he no longer wished to be receiver for Martin. The Floyd Circuit court subsequently accepted Mr. Patton's resignation and appointed Columbia to be receiver of Martin on September 17, 1984. Since that time Columbia has served as receiver and has conducted extensive efforts to improve the system's safety, service and management.

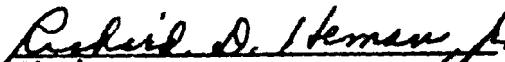
The Commission, having considered the matter and being advised, is of the opinion and finds that, in view of the present circumstances of Columbia acting as receiver, this case should be dismissed. The Commission is also of the opinion and finds that the dismissal is subject to being

redocketed in the event that Columbia should choose to no longer serve as receiver of Martin and should again request termination authority.

IT IS THEREFORE ORDERED that this case be and it hereby is dismissed subject to being redocketed in the event that Columbia should no longer serve as Martin's receiver and should request the redocketing.

Done at Frankfort, Kentucky this 14th day of January, 1985.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:

Secretary