

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

SIGMA GAS CORPORATION)	
)	
COMPLAINANT)	
)	
VS.)	CASE NO. 94-059
)	
B.T.U. PIPELINE, INC.)	
AND RICHARD WILLIAMS)	
)	
DEFENDANTS)	

O R D E R

On February 11, 1994, Sigma Gas Company, Inc. ("Sigma") filed a formal complaint with the Commission alleging B.T.U. Pipeline, Inc. ("BTU") and Richard Williams had interfered with the operations of Sigma and threatened the supply of gas to farm tap customers appropriately served by Sigma.

Eli Warach, acting on his own behalf and on behalf of BTU answered the complaint, counterclaimed and moved to strike portions of the complaint.

The Commission has been notified of an action pending in Magoffin Circuit Court¹ which involves, among other issues, the farm tap services which form the basis of this complaint. As the issue of ownership and control of the identified farm tap services

¹ David Allen et al v. Global Environmental Industries, Inc., et al., Magoffin Circuit Court, 93-CI-00185.

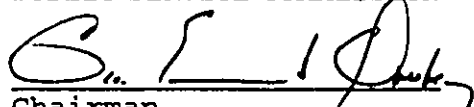
is pending in Magoffin Circuit Court, this complaint should accordingly be dismissed.

IT IS THEREFORE ORDERED that Sigma's complaint be and it hereby is dismissed.

IT IS FURTHER ORDERED that approval of Sigma's tariff issued February 14, 1994 and incorporated by reference in this case be and it hereby is denied.

Done at Frankfort, Kentucky, this 7th day of April, 1994.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director