

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

WESTERN KENTUCKY GAS COMPANY)
)
 _____) CASE NO. 97-289
)
 ALLEGED VIOLATIONS OF 807 KAR 5:022)

O R D E R

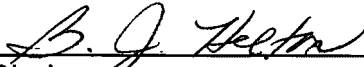
On August 13, 1998, the Commission entered an Order granting Western Kentucky Gas Company's ("WKG") request for a rehearing in this matter. Pursuant to that Order a hearing was held before the Commission on the issue of whether or not penalties could be assessed against WKG in this case under KRS 278.990(1). Counsel for WKG filed a brief on this issue and entered oral argument at the public hearing held on September 30, 1998. The Commission, after hearing the oral argument of counsel, having considered the briefs, having heard all the evidence submitted in this case, and being further sufficiently advised, finds that:

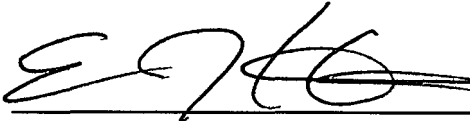
1. The Commission does not have jurisdiction of the alleged violation under KRS 278.992.
2. There is insufficient evidence of any willful violation by WKG of any Commission regulation under KRS 278.990(1) in this case.

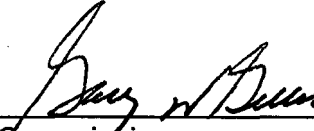
IT IS THEREFORE ORDERED that this case is hereby dismissed.

Done at Frankfort, Kentucky, this 12th day of October, 1998.

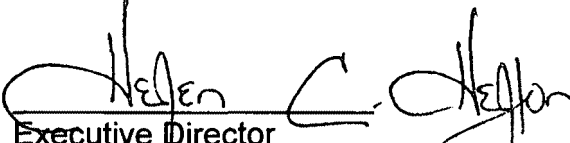
PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director