

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE PETITION OF MILLENNIUM ENERGY, INC. FOR	)	
A CERTIFICATE OF PUBLIC CONVENIENCE AND	)	
NECESSITY TO CONSTRUCT A NATURAL GAS	)	CASE NO. 99-115
LINE, APPROVAL OF FUNDING, AND THE	)	
OPERATION OF A NATURAL GAS LINE IN OHIO	)	
COUNTY, KENTUCKY	)	

ORDER

On December 30, 1999, Millennium Energy, Inc. ("Millennium") applied for a Certificate of Public Convenience and Necessity to construct a natural gas pipeline. On February 15, 2000, the Commission accepted Millennium's application for filing after it cured several deficiencies in its original submission. Millennium, on April 17, 2000, revised its application to reflect revisions in certain engineering and financial aspects and the proposed route of pipeline.

Based upon the information set forth in its application and provided in response to the Commission's Order of May 19, 2000, the Commission finds that Millennium has yet to demonstrate either the need for, or the financial viability of, the proposed pipeline. It concedes that until a large commercial or industrial customer with an annual usage of approximately 30,000 to 40,000 BTU has located in the Bluegrass Crossing Business Centre, the proposed pipeline is not financially feasible. It further concedes that to supply such a customer, it must secure its natural gas supply from an additional source. As of June 7, 2000, it had not secured such supply. Millennium acknowledges that securing such supply is possible only if Millennium secures a high usage large commercial or industrial customer.

Recognizing that Millennium is exercising a good faith effort to meet its statutory burden of proof, the Commission finds that Millennium should be afforded an additional 60 days in which to demonstrate the need for, and financial viability of, its proposed pipeline. If, at the conclusion of that time period, it has failed to meet its burden, then its application will be denied. To facilitate Millennium's efforts, the information necessary to meet this burden is listed in Appendix A to this Order.

IT IS THEREFORE ORDERED that:

1. This case shall remain upon the Commission's docket for 60 days from the date of this Order.

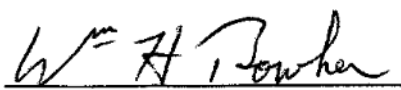
2. If, after 60 days from the date of this Order, Millennium has not produced any additional evidence regarding the need for, and financial viability of, the proposed pipeline, Millennium's application shall be denied and this case shall be removed from the Commission's docket without further Order.

3. If, after 60 days from the date of this Order, Millennium has submitted additional evidence demonstrating the need for, and financial viability of, the proposed pipeline, its application shall stand submitted for decision.

Done at Frankfort, Kentucky, this 12<sup>th</sup> day of July, 2000.

By the Commission

ATTEST:

Deputy   
Executive Director

## APPENDIX A

### APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE COMMISSION IN CASE NO. 99-115 DATED JULY 12, 2000

#### EVIDENCE THAT MAY DEMONSTRATE THE NEED FOR AND FINANCIAL VIABILITY OF THE PROPOSED NATURAL GAS PIPELINE

1. A list of all potential commercial and industrial customers and their expected annual natural gas usage.
2. All contracts or agreements between Millennium and large volume customers.
3. All contracts or agreements between Millennium and natural gas suppliers that provide for a firm supply of natural gas to Millennium.
4. A current map of pipeline routes from the source of supply to the end-user.
5. All revisions to the pipeline construction costs, bid documents, and pipeline construction schedule.
6. All revisions to Millennium's volume usage estimates, billing analysis, and any cost or revenue requirement component since Millennium's last filing with the Commission.