

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

RONALD J. HALL	)	
	)	
COMPLAINANT	)	
	)	
v.	)	CASE NO. 2005-00404
	)	
EQUITABLE GAS COMPANY	)	
	)	
DEFENDANT	)	

O R D E R

On September 28, 2005, Ronald J. Hall ("Complainant") filed a formal complaint against Equitable Gas Company ("Equitable"). Pursuant to 807 KAR 5:001, Section 12, Equitable was ordered to satisfy or file a written answer to the complaint by October 17, 2005. As of the date of this Order, Equitable has made neither a filing indicating satisfaction of the complaint, nor has it filed a written answer.

A formal hearing should be held upon all issues raised in the pleading that are jurisdictional to the Commission. Equitable should also show cause at that formal hearing why it should not be subject to civil penalties under KRS 278.990 for failure to obey an Order of the Commission.

IT IS THEREFORE ORDERED that:

1. Complainant and Equitable shall appear for a formal hearing upon the complaint on December 6, 2005 at 1:00 p.m., Eastern Standard Time, in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky.

2. At the hearing, Equitable shall show cause why the relief requested should not be granted as a matter of law and why it should not be subject to the penalties prescribed in KRS 278.990(1) for its failure to obey the Commission's Order of October 7, 2005 to satisfy or answer the complaint.

3. Neither opening statements nor witnesses' summaries of pre-filed direct testimony will be permitted.

4. The Commission does not favor motions for continuance and will grant them only when such a motion is made in writing and states compelling reasons for granting the motion.

5. Corporate entities are advised that, under Kentucky law, a corporation, its employees, and any representative, who are not licensed to practice law in Kentucky, are not permitted to make objections, examine, or cross-examine witnesses in administrative hearings.

6. The official record of the proceeding shall be by videotape only, unless otherwise requested by a party to the proceeding on or before November 23, 2005.

Done at Frankfort, Kentucky, this 3<sup>rd</sup> day of November, 2005.

By the Commission

ATTEST:

  
Executive Director