

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. On November 3, 2005, Commission Staff requested that Equitable file certain information with the Commission within 10 days. Concurrently, the Commission established a date for a formal hearing and directed Equitable to show cause at the formal hearing why it should not be subject to civil penalties for failing to obey the Commission's earlier Order. On November 30, 2005, Equitable, by counsel, filed a motion for leave to file a late answer. Equitable tendered an answer for filing and also filed a response to the information request issued by Commission Staff.

Having considered the record, we find that the motion to file an untimely answer should be granted, that the formal hearing should be continued, and that an informal

conference between Equitable and Commission Staff should be held to discuss all outstanding issues. The Complainant may also participate in the informal conference.

The Commission, upon its own motion, HEREBY ORDERS that:

1. The formal hearing scheduled for December 6, 2005 is cancelled.
2. Equitable's motion for leave to file a late answer is granted.
3. An informal telephonic conference shall be held on December 6, 2005 at 1:00 p.m., Eastern Standard Time. Equitable shall initiate the conference call by calling 502-564-3940 and requesting extension 7098. Equitable shall have such persons participating in the conference who are knowledgeable about the issues and who are authorized to enter into agreements on Equitable's behalf with Commission Staff.

Done at Frankfort, Kentucky, this 6th day of December, 2005.

By the Commission

ATTEST:


Executive Director