

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE NOTICE OF GAS COST RECOVERY)
FILING OF GASCO DISTRIBUTION SYSTEMS,) CASE NO. 2007-00421
INC.)

ORDER

Gasco Distribution Systems, Inc. ("Gasco") has moved for dismissal of this proceeding. In support of its motion, Gasco has submitted new tariff sheets that are intended to replace the gas cost adjustment filing that it submitted on September 26, 2007 and that are the subject of this investigation.

The Commission finds that Gasco's Motion to Dismiss should be granted. The proposed rate contained in Gasco's initial filing was rendered moot by the Commission's suspension of that rate and Gasco's subsequent submission of gas cost recovery rates to become effective on February 1, 2008 and April 1, 2008. As the Commission cannot authorize retroactive rate relief and as Gasco has substituted different gas cost recovery rates for Gasco's initial submission, no purpose is served through continued examination of the initial submission.

The Commission further finds that a new proceeding should be established to examine the reasonableness of the gas cost recovery rate set forth in the gas cost filing attached to Gasco's Motion to Dismiss. Such proceeding will be established separately.¹

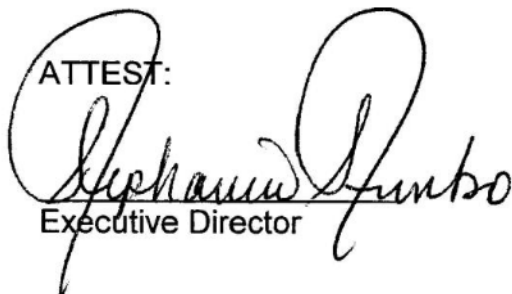
¹ Case No. 2008-00096, An Investigation into the Reasonableness of the Gas Cost Recovery Filing of Gasco Distribution Systems, Inc.

IT IS THEREFORE ORDERED that:

1. Gasco's Motion to Dismiss is granted in part and denied in part.
2. That portion of Gasco's Motion to Dismiss seeking the dismissal of the investigation of its gas cost adjustment filing of September 26, 2007 is granted.
3. That portion of Gasco's Motion to Dismiss seeking approval of Gasco's revised gas cost adjustment filing of February 26, 2008 is denied.
4. This proceeding is closed and shall be removed from the Commission's docket.

Done at Frankfort, Kentucky, this 31st day of March, 2008.

By the Commission

ATTEST:

Executive Director