

COMMONWEALTH OF KENTUCKY  
BEFORE THE ENERGY REGULATORY COMMISSION

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IN THE MATTER OF:

ANNUAL REPORT FORM FOR CALENDAR )	
YEAR 1978 AS REQUIRED BY SECTION )	ADMINISTRATIVE
278.230(3) OF KENTUCKY REVISED )	CASE NO. 213
STATUTES )	

ORDER

On the 28th day of August, 1979, the Energy Regulatory Commission (successor to the Public Service Commission) issued its Administrative Order No. 213. The order directed utilities subject to the jurisdiction of the Energy Regulatory Commission, that had not filed their Annual Report Form for the Calendar Year 1978 as required by KRS 278.230(3) and 807 KRS 50:015(3) to appear at the Commission's offices on the 25th day of September, 1979, at 2:30 p.m., Eastern Daylight Time, to show cause why the 1978 Annual Report Form had not been filed, and further, why the penalty provisions of KRS 278.990 should not be invoked.

FINDINGS

The Energy Regulatory Commission having been advised of the fact that certain utilities, commanded by subpoena, failed to appear at the designated time and place of hearing is of the opinion and finds:

(1) That the following utilities have failed to comply with KRS 278.230(3) and 807 KRS 50:015(3):

H. S. & G. Drilling Company  
Johns Creek Gas & Water Company  
Leslie Oil & Gas Lease  
Magoffin Gas Company, Inc.

(2) That in-as-much as the Magoffin Gas Company, Inc. appeared at the hearing and stated why the Annual Report Form had not been filed, the Commission granted a fifteen (15) day extension of time to file the required report.

(3) That the following utilities, although commanded by subpoena failed to appear at the designated time and place of the hearing: H. S. & G. Drilling Company, Johns Creek Gas & Water Company and Leslie Oil & Gas Lease and should be assessed a penalty of \$500.00 payable to the Commonwealth of Kentucky as authorized by KRS 278.990.

(4) That payment of the fine levied in Finding (3) does not relieve the utility the responsibility of filing the 1978 Annual Report Form. In the event that the report is not forthcoming within thirty (30) days of the date of this order, appropriate measures will be taken by the Commission under the penalty provisions found in KRS 278.990.

IT IS THEREFORE ORDERED, that each of the following utilities be and they hereby are fined the sum of \$500.00 payable to the Commonwealth of Kentucky as provided by KRS 278.990:

H. S. & G. Drilling Company  
Johns Creek Gas & Water Company  
Leslie Oil & Gas Lease

IT IS FURTHER ORDERED, that the above mentioned utilities, will also be required to file the 1978 Annual Report Form within thirty (30) days from September 25, 1979. In the event that the report is not forthcoming within the required time, the Commission will take further action under the provisions of KRS 278.990.

IT IS FURTHER ORDERED, that the Magoffin Gas Company is granted a fifteen (15) day extension from September 25, 1979 to file its 1978 Annual Report Form.

IT IS FURTHER ORDERED, that appropriate action will be taken by the Commission to recover the full amount of these penalties in the name of the Commonwealth of Kentucky pursuant to KRS 278.390.

Done at Frankfort, Kentucky this 11th day of October,  
1979.

BY THE COMMISSION