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July 24, 2009

RECEIVED

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PUBLIC SERVICE
COMMISSION

Mr. Jeff DeRouen
Executive Director
Public Service Commission
P.O. Box 615
Frankfort, KY 40602

RE: The Application of Cow Creek Gas, Inc. for an Order Authorizing Financing

Dear Mr. DeRouen:

Enclosed please find an original and ten copies each of Cow Creek Gas, Inc.'s Response to the Commission's June 30, 2009 order and to B.T.U. Gas Company's July 16, 2009 Response.

Please indicate receipt of this filing by your office by placing a file stamp on the extra copy and returning to me via our runner.

Very truly yours,

STOLL KEENON OGDEN PLLC

W. Duncan Crosby, III

WDC:jms
Enc.

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

SIGMA GAS CORPORATION, COMPLAINANT)	
)	
V.)	CASE NO. 2004-00018
)	
B.T.U. GAS COMPANY, DEFENDANT)	

RESPONSE OF COW CREEK GAS, INC.,
TO THE COMMISSION'S JUNE 30, 2009 ORDER AND TO
B.T.U. GAS COMPANY'S JULY 16, 2009 RESPONSE

In its June 30, 2009 Order in this proceeding, the Commission instructed B.T.U. Gas Company ("BTU") and Cow Creek Gas, Inc. ("Cow Creek"), as follows:

2. Within 20 days of the date of this Order, BTU shall submit a list of those customers it still serves from those listed in findings #10 and #11 plus any additional customers it may have begun serving in the Salyersville area since June 29, 2004, the date of the hearing in this case.
3. Cow Creek shall notify the Commission in writing of its intention to serve those customers as contained in findings #10 and #11 and the time necessary to construct lines, set meters, and service lines to serve those customers.¹

On July 16, 2009, BTU filed with the Commission its Response to the Commission's June 30, 2009 Order. Cow Creek, by counsel, hereby responds to both the Commission's June 30, 2009 Order and BTU's July 16, 2009 Response.

FINDING #10

BTU is not authorized to serve the customers previously served by Sigma in the "Dixie" area of Salyersville.²

¹ Order at 16-17.

² Order at 16.

RESPONSE

Based on Cow Creek’s initial review, Cow Creek believes that BTU is serving approximately ten customers in the Dixie area of Salyersville. With the exception of meters, Cow Creek has the facilities in place to serve such customers. Cow Creek will notify BTU’s customers in the Dixie area that Cow Creek, not BTU, will serve each customer within approximately forty-five days of receiving an application for service and the necessary deposit from the customer, which will allow Cow Creek to install the necessary meter(s).

FINDING #11

BTU is not authorized to serve the following customers in Salyersville: Magoffin County Teen Coalition (Teen Scene); Magoffin County Courthouse; H. C. Prater; Burke Arnett; Tommy Howard; Magoffin County Recycling Center; and Tom Bailey’s home and garage. (WRLV Radio station is listed as connected but not served.)³

RESPONSE

Because Cow Creek does not desire to interfere with the free gas service the following customers are receiving from BTU, it is electing not to serve the Magoffin County Teen Coalition (Teen Scene), Burke Arnett, and Tom Bailey’s home and garage.

Cow Creek elects to serve the Magoffin County Courthouse, H. C. Prater, Tommy Howard, the Magoffin County Recycling Center, and WRLV Radio (if WRLV requests service). Cow Creek will provide notice of the change in gas service providers to these customers immediately, and will begin providing gas service to each customer approximately sixty (60) days from the date Cow Creek receives an application for service and the necessary deposit from the customer, with the exception of the Magoffin County Courthouse. Magoffin County rebuilt the Courthouse while BTU was improperly serving it, at which time Sigma Gas had to cap and

³ Order at 16.

remove some of the line that had formerly served the Courthouse; as a result, the exact location of the line is not known at this time. Cow Creek will move with all reasonable speed to ascertain the location of Sigma's previous service line, purchase BTU's service line(s), or make other arrangements for serving the Courthouse.

BTU'S JULY 16, 2009 RESPONSE

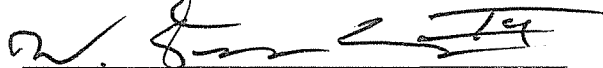
From the list of customers BTU provided in its July 16, 2009 Response, Cow Creek elects to serve the following customers: Vint Dyer, Jaymee May, Michelle Garcia, Scott Arnett, Robert Lunsford, Johnny Carpenter, Brad Patrick, Joanne Hayden, Roger Hoskins, Jimmy Hoskins, Orval Howard, Tommy Frazier (3 taps), Wendell Hoskins, Will Conley (3 taps), and Tommy Frazier (rental property).

Cow Creek has elected not to serve Dixie Church, whom Cow Creek understands to be receiving free gas service from BTU.

In the event it is discovered that there are additional customers impacted by the Commission's June 30, 2009 Order, Cow Creek reserves the right to address serving any such additional customers in a future update to this response.

Dated: July 24, 2009

Respectfully submitted,



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Counsel for Cow Creek Gas, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion for to Intervene and for the Commission to Issue a Final Order in this Proceeding was sent to the following attorneys of record by U.S. mail, postage prepaid, on this 24th day of July, 2009.

Honorable Karen Chrisman
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