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August 21, 2009

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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 Sur-Reply to B.T.U. Gas Company's August 18, 2009 Reply.

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)	

SUR-REPLY OF COW CREEK GAS, INC.,
TO B.T.U. GAS COMPANY'S AUGUST 18, 2009 REPLY

Cow Creek Gas, Inc. ("Cow Creek"), by counsel, hereby respectfully submits to the Kentucky Public Service Commission ("Commission") its Sur-Reply to the August 18, 2009 Reply in this proceeding of B.T.U. Gas Company ("BTU"). Cow Creek requests that the Commission deny the implied motion of BTU to compel Cow Creek to serve the customers listed in BTU's Reply (which implied motion BTU's Reply called an "object[ion]" to Cow Creek's July 24, 2009 Response).

In its August 18, 2009 Reply, BTU erroneously claimed that the Commission's June 30, 2009 Order in this proceeding had denied BTU the authority to serve certain customers. In fact, the Commission stated plainly at page 14 of its June 30, 2009 Order, "If Cow Creek is unable or unwilling to connect any customer on the list, then that customer may be served by BTU." Cow Creek clearly stated in its July 24, 2009 Response which of the customers at issue in this proceeding it was and is willing and able to serve; therefore, pursuant to the Commission's June 30, 2009 Order, BTU may and should continue to serve the customers listed in its August 18, 2009 Reply.

WHEREFORE, Cow Creek respectfully requests that the Commission deny BTU's implied motion to compel Cow Creek to serve the customers listed in BTU's August 18, 2009 Reply in this proceeding.

Dated: August 21, 2009

Respectfully submitted,

A handwritten signature in black ink, appearing to read "C. Kent Hatfield", written over a horizontal line.

C. Kent Hatfield
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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 21st day of August, 2009.

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