

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC TARIFF FILING OF LINDSEY)	
ENTERPRISES, LLC FOR INITIAL RULES,)	CASE NO.
REGULATIONS, AND RATES FOR FURNISHING)	2023-00224
GAS SERVICE PURSUANT TO KRS 278.485)	

ORDER

On July 29, 2024, the Commission entered a final Order in Case No. 2023-00224 directing Lindsey Enterprises, LLC (Lindsey Enterprises), to file its Commission-approved gas farm tap tariff using the Commission’s electronic Tariff Filing System within 20 days of service of the Order.¹ On August 14, 2024, Lindsey Enterprises incorrectly filed the tariff into the “Post Case Files” section instead of using the electronic Tariff Filing System as required.² Despite subsequent written³ and verbal instructions from Commission Staff, Lindsey Enterprises has failed to correct the filing and has not communicated any intent to remedy the situation.

Lindsey Enterprises has not complied with the Commission’s July 29, 2024 final Order. Commission Staff’s efforts to facilitate compliance, including emails and letters sent to Lindsey Enterprises’ legal counsel, have not resulted in compliance. To date,

¹ Case No. 2023-00224, *Electronic Tariff Filing of Lindsey Enterprises, LLC for Initial Rules, Regulations, and Rates for Furnishing Gas Service Pursuant to KRS 278.485* (Ky. PSC July 29, 2024), Order at 14, ordering paragraph 3.

² See Case No. 2023-00224, Post Case Files, Tariff Filing (filed Aug. 14, 2024).


³ See Case No. 2023-00224, Post Case Files, 20241001_PSC Letter Filing Letter to Lindsey and Elliot Gas Company into the Record (filed Oct. 1, 2024); and 20241001_PSC Letter Filing Letter to Billy Shelton into the Record.pdf (filed Oct. 1, 2024).

Lindsey Enterprises has neither corrected the improper filing nor communicated any intent to remedy the situation.

The Commission finds that Lindsey Enterprises should be required to show cause as to why it should not be subject to penalties under KRS 278.990 for its failure to comply with the Commission's final Order.

IT IS THEREFORE ORDERED that Lindsey Enterprises shall file a written response within ten days of the service date of this Order to show cause as to why it should not be subject to penalties under KRS 278.990 for its failure to comply with the Commission's final Order entered on July 29, 2024, in Case No. 2023-00224. Failure to file a response may result in the imposition of penalties as provided by law.


PUBLIC SERVICE COMMISSION



Chairman



Commissioner

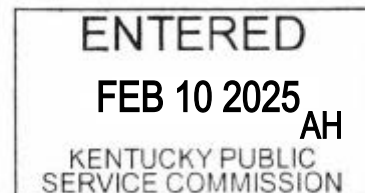


Commissioner

ATTEST:

Executive Director



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