

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC TARIFF FILING OF LINDSEY &	)	
ELLIOTT GAS CO. FOR INITIAL RULES,	)	CASE NO.
REGULATIONS, AND RATES FOR FURNISHING	)	2023-00225
GAS SERVICE PURSUANT TO KRS 278.485	)	

ORDER

On July 29, 2024, the Commission entered a final Order in Case No. 2023-00225 directing Lindsey & Elliot Gas Company (Lindsey & Elliot) 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.<sup>1</sup> On August 14, 2024, Lindsey & Elliot incorrectly filed the tariff into the "Post Case Files" section instead of using the electronic Tariff Filing System as required.<sup>2</sup> Despite subsequent written<sup>3</sup> and verbal instructions from Commission Staff, Lindsey & Elliot has failed to correct the filing and has not communicated any intent to remedy the situation.

Lindsey & Elliot 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 & Elliot's legal counsel, have not resulted in compliance. To date, Lindsey &

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<sup>1</sup> Case No. 2023-00225, *Electronic Tariff Filing of Lindsey & Elliott Gas Co. 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.

<sup>2</sup> See Case No. 2023-00225, Post Case Files, Tariff Filing (filed Aug. 14, 2024).

<sup>3</sup> See Case No. 2023-00225, Post Case Files, 20241001\_PSC Letter Filing Letter to Lindsey and Elliot Gas Company into the Record.pdf (filed Oct. 1, 2024); and 20241001\_PSC Letter Filing Letter to Billy Shelton into the Record.pdf (filed Oct. 1, 2024).

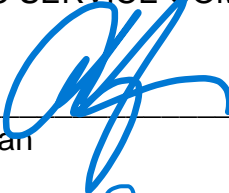
Elliot has neither corrected the improper filing nor communicated any intent to remedy the situation.

The Commission finds that Lindsey & Elliot 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 & Elliot 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. 2023-00225. Failure to file a response may result in the imposition of penalties as provided by law.

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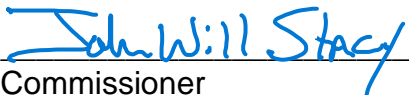
PUBLIC SERVICE COMMISSION

  
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Chairman

  
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Commissioner

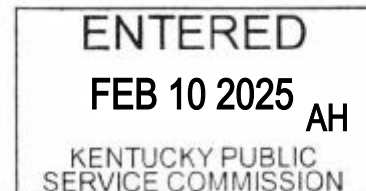
  
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Commissioner

ATTEST:

   
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Executive Director



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