

CCF



S T O L L · K E E N O N · O G D E N
P L L C

2000 PNC PLAZA
500 WEST JEFFERSON STREET
LOUISVILLE, KY 40202-2828
MAIN: (502) 333-6000
FAX: (502) 333-6099
www.skofirm.com

W. DUNCAN CROSBY III
DIRECT DIAL: (502) 560-4263
DIRECT FAX: (502) 627-8754
duncan.crosby@skofirm.com

September 10, 2010

VIA HAND DELIVERY

RECEIVED

SEP 10 2010

Jeff DeRouen
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, KY 40601

**PUBLIC SERVICE
COMMISSION**

**RE: Application of the City of West Liberty, Kentucky for Approval to Acquire the
Utility Assets of Elam Utility Company, Inc., and for Approval of a Management
Agreement**
Case No. 2010-00302

Dear Mr. DeRouen:

Enclosed please find and accept for filing the original and ten copies of the Notice of Transfer of Utility Assets and Fulfillment of Terms of Memorandum of Understanding in the above-referenced matter. Please confirm your receipt of this filing by placing the stamp of your Office with the date received on the enclosed additional copies and return them to me via our runner.

Should you have any questions, please contact me at your convenience.

Sincerely,

W. Duncan Crosby III

WDC:ec
Enclosures
cc: Parties of Record

113812.137923/653902.1

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

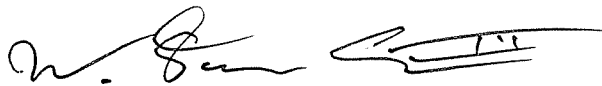
APPLICATION OF THE CITY OF WEST)
LIBERTY, KENTUCKY, FOR APPROVAL TO)
ACQUIRE THE UTILITY ASSETS OF ELAM) **CASE NO. 2010-00302**
UTILITY COMPANY, INC., AND FOR APPROVAL)
OF A MANAGEMENT AGREEMENT

NOTICE OF TRANSFER OF UTILITY ASSETS
AND FULFILLMENT OF TERMS OF MEMORANDUM OF UNDERSTANDING

Pursuant to the Commission’s August 13, 2010 Order in this proceeding, the City of West Liberty, Kentucky (“City”) hereby gives notice to the Kentucky Public Service Commission (the “Commission”) that the assets of the Elam Utilities Company, Inc., were transferred to the City in accordance with the aforementioned Order on August 25, 2010. The City further gives notice to the Commission that the terms of the Memorandum of Understanding filed in this proceeding on July 23, 2010, have been fulfilled by the appropriate payment of gas and cash to Columbia Gulf Transmission Company and Columbia Gas Transmission, LLC. The City has also executed agreements so that as of today, September 10, 2010, Jefferson Gas Company will provide all gas supply and gas transportation services to the City.

Dated: September 10, 2010

Respectfully submitted,



W. Duncan Crosby III
Stoll Keenon Ogden PLLC
2000 PNC Plaza
500 West Jefferson Street
Louisville, Kentucky 40202-2828
Telephone: (502) 333-6000

D. Joleen Frederick
City Attorney
City of West Liberty, Kentucky
P.O. Box 508
West Liberty, Kentucky 41472
Telephone: (606) 743-2550

Counsel for the City of West Liberty, Kentucky

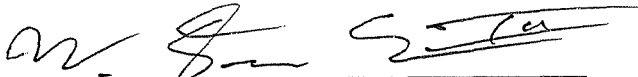
CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Notice of Transfer of Utility Assets and Fulfillment of Terms of Memorandum of Understanding was served on the following persons on the 10th day of September, 2010, by U.S. mail, postage prepaid:

Dennis G. Howard II
Lawrence W. Cook
Paul D. Adams
Assistant Attorneys General
Office of the Kentucky Attorney General
Office of Rate Intervention
1024 Capital Center Drive, Suite 200
Frankfort, KY 40601-8204

Kim Ison Gevedon
Attorney at Law
579 Main Street, Suite 2
P. O. Box 216
West Liberty, KY 41472

Wilma B. Sorrell
President
Elam Utility Company, Inc.
459 Main Street
West Liberty, KY 41472



Counsel for the City of West Liberty, Kentucky