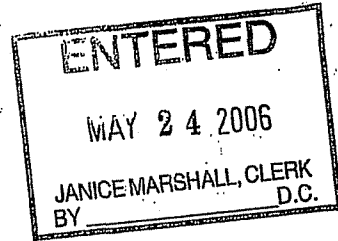


COMMONWEALTH OF KENTUCKY  
FRANKLIN CIRCUIT COURT  
DIVISION NO. II  
CIVIL ACTION NO. 05-CI-01646



PUBLIC SERVICE COMMISSION OF KENTUCKY

PLAINTIFF

V.

**ORDER**

ZEBULON GAS ASSOCIATION, INC. ET AL.

DEFENDANTS

\*\*\* \*\*

Plaintiff Public Service Commission of Kentucky ("Commission") has moved for the attachment of the assets of Zebulon Gas Association, Inc. ("Zebulon") and the immediate appointment of a suitable person or entity, as receiver with sole control and responsibility for those assets, or in the alternative, to dismiss its claim because of the Commission's inability to locate a suitable person or entity to serve as receiver.

After a hearing on the motion and being otherwise sufficiently advised, the Court finds that:

1. After exercising a good faith effort to locate a suitable person or entity to serve as receiver, the Commission has been unable to locate such person or entity willing to serve in that position.
2. The Court is unaware of any suitable person or entity who is willing to serve as receiver of Zebulon.
3. In light of the inability to locate a suitable person or entity to serve as receiver of Zebulon, continuing the Commission's claim would serve no useful purpose.
4. The Governor's Office for Local Development has filed a cross-claim in this action against Zebulon that is unaffected by the Commission's Motion. Dismissal of

the Commission's claim shall not terminate this action as it relates to GOLD's claim.

See CR 54.02.

IT IS THEREFORE ORDERED that:


1. The Commission's Motion to Dismiss is granted.

2. The Commission's claim for relief is dismissed without prejudice.

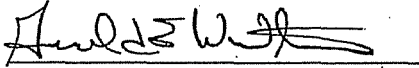
3. Jefferson Gas, LLC is relieved of any further obligations and may cease operations under the Operating Agreement dated October 9, 2001 and entered into with Zebulon Gas Association, Inc. subject only to Jefferson Gas, LLC's responsibilities under 807 KAR 5:022, Section 14(15) and 49 CFR 192.727.

4. This judgment is a final judgment. There is no just reason for delay.

Done this 23 day of May, 2006.

  
\_\_\_\_\_  
William L. Graham  
Judge, Franklin Circuit Court

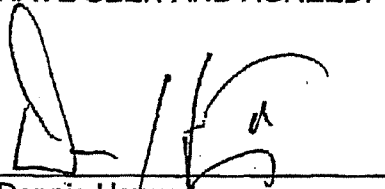
HAVE SEEN AND AGREED:



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COUNSEL FOR PUBLIC SERVICE COMMISSION  
OF KENTUCKY

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A handwritten signature in black ink, appearing to read 'Dennis Howard', written over a horizontal line.

Dennis Howard  
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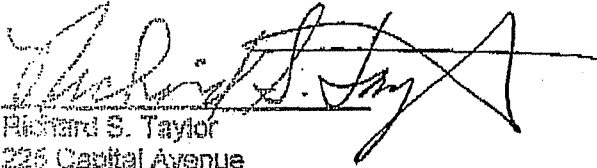
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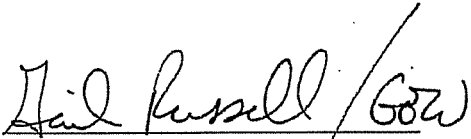
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A handwritten signature in cursive script, appearing to read "Richard S. Taylor", written over a horizontal line.

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