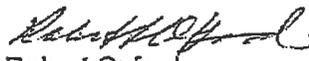


P.S.C. Ky. Adoption Notice No. \_\_\_\_\_

ADOPTION NOTICE

The undersigned Kentucky Frontier Gas, LLC of 4891 Independence Street, Suite 200, Wheat Ridge, CO 80033 hereby adopts, ratifies, and makes its own, in every respect as if the same had been originally filed and posted by it, all tariffs and supplements containing rates, rules and regulations for furnishing natural gas service at Floyd County in the Commonwealth of Kentucky, filed with the Public Service Commission of Kentucky by Floyd County Gas Company, aka East Kentucky Utilities and in effect on the 31st day of December, 2008, the date on which the public service business of the said Floyd County Gas was taken over by it.

This notice is issued on the 9th day of January, 2009, in conformity with 807 KAR 5:011, Section 11, of the Regulations for the filing of Tariffs of Public Utilities with the Public Service Commission of Kentucky.

  
Robert Oxford

By Managing Member

Authorized by Ky.P.S.C. Order No. 2008-00394

**CANCELLED**  
**MAR 01 2009**  
KENTUCKY PUBLIC  
SERVICE COMMISSION

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE  
12/31/2008  
PURSUANT TO 807 KAR 5:011  
SECTION 9 (1)

By   
Executive Director

P. S. C. Ky. No. 1

Cancels P. S. C. Ky. No. \_\_\_\_\_

**CANCELLED**  
**MAR 01 2009**  
KENTUCKY PUBLIC  
SERVICE COMMISSION

*East*  
~~OHIO~~ - KENTUCKY UTILITIES INC.

OF  
PRESTONSBURG KENTUCKY

**Rates, Rules and Regulations for Furnishing**  
**NATURAL GAS**

AT

WAYLAND - ESTILL, LACKEY, GARRET, HUEYSVILLE, ALLEN, DWALE AND  
VICINITY, FLOYD COUNTY

**Filed with PUBLIC SERVICE COMMISSION OF**  
**KENTUCKY**

ISSUED December 11, 1970

EFFECTIVE September 24, 1969

**CHECKED**  
PUBLIC SERVICE COMMISSION  
MAR 03 1971  
352  
by                       
ENGINEERING DIVISION

ISSUED BY OHIO-KENTUCKY UTILITIES INC.  
(Name of Utility)

BY John Allen, President

**CANCELLED**  
**MAR 01 2009**  
KENTUCKY PUBLIC  
SERVICE COMMISSION

FOR ENTIRE AREA SERVED

P.S.C. KY. NO. 1

2nd Revised SHEET NO. 1

Canceling P.S.C. KY NO. 1

1st Revised SHEET NO. 1

EAST KENTUCKY UTILITIES, INC.

**RULES AND REGULATIONS**

**APPLICATION FOR SERVICE:**

All customers shall make application for service at the office of the Company giving name of applicant, mailing address, location to be served, and any other information required by the Company to insure adequate service and payment of bills.

Commercial customers shall give kind of business, size of space to be heated and other use of gas in premises. Type of heating equipment, MCF recommended by manufacturer for same, pressure needed, for all purpose use. Size of piping to inside of building.

( 1 ) The customer's meter shall be installed at the nearest point to the company's main or service line and will be designated by the Company.

( 2 ) The Company will furnish and install the meter, regulator, stop and fitting to customers down side at metering point.

( 3 ) The customer shall install a service line not less than 1" of approved pipe to inside appliances, without reduction in size except same may be reduced at floor level to size opening of appliance. A stop cock shall be installed for each appliance.

( 4 ) All gas appliances shall be installed in conformity with adopted county, state and federal codes.

( 5 ) The customer shall not adjust or attempt to adjust regulators, meters, or facilities of the Company, and shall be responsible for any damage to meter and regulator, unless same is rendered by unknown persons, in which event same shall be immediately reported to Company.

( 6 ) Each customer shall be installed a separate meter, and no building having more than one tenant shall be served by a single meter.

( 7 ) Meter reading will be taken between the 20th - 29th of each month and mailed on or before the 1st day of each month.

**PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE**

DATE OF ISSUE October 5, 1993 DATE EFFECTIVE October 5, 1993  
MONTH DAY YEAR MONTH DAY YEAR

ISSUED BY [Signature] President P. O. Box 551 Pres Lonsburg, KY 41653  
NAME OF OFFICER TITLE ADDRESS

APPROVED [Signature]  
PURSUANT TO 807 KAR 5:011,  
SECTION 9 (1)  
PUBLIC SERVICE COMMISSION MANAGER

CANCELLED  
MAR 01 2009  
KENTUCKY PUBLIC  
SERVICE COMMISSION

FOR ENTIRE AREA SERVED

P.S.C. KY. NO. 1

2nd Revised SHEET NO. 2

Canceling P.S.C. KY NO. 1

1st Revised SHEET NO. 2

EAST KENTUCKY UTILITIES, INC.

RULES AND REGULATIONS

( 8 ) Accounts not paid 10 days after mailing date shall be subject to a 10% penalty on the current balance only.

( 9 ) A re-connection charge of \$35.00 shall be paid before service is restored following disconnection for non-payment of bill.

(10) A reconnection charge for customers who request discontinuance of service and subsequently re-establish service at the same premises within twelve (12) months is \$50.00

(11) A transfer of service charge for customers moving from one location to another is \$25.00.

(12) A service charge of \$15.00 to collect a delinquent bill will be charged if a utility representative actually terminates service or in the course of a visit the customer pays the bill or if a payment arrangement is made.

(13) A service charge of \$20.00 will be made to any customer whose check is returned from the bank for insufficient funds. The account shall be considered in arrears and subject to termination under 807 KAR 5:006 Section II.

(14) Mobile trailers shall be considered temporary service and subject to a connection charge of \$75.00. If service line, meter loop, etc. are in place, the charge shall be \$25.00.

(15) Discontinuance of Service - Per 807 KAR 5:006 Section 11

The utility may refuse or discontinue service to an applicant or customer after proper notice for failure to comply with its rules and regulation or state and municipal rules and regulations, when a dangerous condition is found to exist on the customers or applicants premises, when a customer or applicant refuses or neglects to provide reasonable access to the premises for fraudulent or illegal use of service or for non-payment of bill.

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

APR 7 1993

DATE OF ISSUE October 5, 1993  
MONTH DAY YEAR

DATE EFFECTIVE October 5, 1993  
MONTH DAY YEAR

PURSUANT TO 807 KAR 5:01.1,  
SECTION 9(1)  
BY: [Signature]  
PUBLIC SERVICE COMMISSION MANAGER

ISSUED BY President P. O. Box 551 ADDRESS 1653  
NAME OF OFFICER TITLE

CANCELLED  
MAR 01 2009  
KENTUCKY PUBLIC  
SERVICE COMMISSION

FOR ENTIRE AREA SERVED

P.S.C. KY. NO. 1

3rd Revised SHEET NO. 3

Canceling P.S.C. KY NO. 1

2nd Revised SHEET NO. 3

EAST KENTUCKY UTILITIES, INC.

RULES AND REGULATIONS

If discontinuance is for nonpayment of bills, the customer shall be given at least 10 days written notice, separate from the original bill, and cut-off shall be effected not less than twenty seven (27) days after the mailing date of the original bill, unless, prior to discontinuance, a residential customer presents to the utility a written certificate, signed by a physician, registered nurse, or public health officer, that such discontinuance will aggravate an existing illness or infirmity on the affected premises, in which case discontinuance may be effected not less than thirty (30) days from the date the utility notifies the customer, in writing, of state and federal programs which may be available to aid in payment of bills and the office to contact for such possible assistance.

(16) Budget Payment Plan

The Company has a budget payment plan available for its residential customers whereby a customer may elect to pay a monthly amount for the budget year in lieu of monthly or bimonthly billings for actual usage. The monthly budget payment will be determined by the Company based, under normal circumstances, on a minimum of one-twelfth of the estimated annual usage, subject to review and adjustment during the budget year. The normal budget year for all residential customers is the 12 months from April to May with May being the settlement month.

The customer's account may be adjusted through a series of levelized adjustments on a monthly basis if usage indicates that the account will not be current upon payment of the last budget amount.

If Customer fails to pay bills as rendered under the budget payment plan, the Company reserves the right to revoke the plan, restore the customer to regular billing and require immediate payment of any deficiency.

Failure to receive a bill in no way exempts customer from the provisions of these TERMS AND CONDITIONS.

When the Company is unable to read a meter after reasonable effort, the customer will be billed at the average of the three immediately preceding monthly or bimonthly bills and the billing adjusted PUBLIC SERVICE COMMISSION OF KENTUCKY if read.

Customer's bill will be due within 10 days from date PUBLIC SERVICE COMMISSION OF KENTUCKY of bill.

DATE OF ISSUE October 5, 1993  
MONTH DAY YEAR

DATE EFFECTIVE October 5, 1993  
MONTH DAY YEAR

ISSUED BY Paul A. Allen President  
NAME OF OFFICER TITLE

P. O. Box 551, Prestonsburg, KY 41653  
ADDRESS SERVICE COMMISSION MANAGER

APR 7 1994  
PURSUANT TO ORDER OF THE PUBLIC SERVICE COMMISSION OF KENTUCKY  
SECTION 9 (1)

CANCELLED  
MAR 01 2009  
KENTUCKY PUBLIC  
SERVICE COMMISSION

FOR ENTIRE AREA SERVED

P.S.C. KY. NO. 1

1st SHEET NO. 4

Canceling P.S.C. KY NO.

SHEET NO.

EAST KENTUCKY UTILITIES, INC.

RULES AND REGULATIONS

Customer's bill will be due within 10 days from date of bill.

(17) Deposits

The Company requires a minimum cash deposit to secure payment of bills. Service may be refused or discontinued for failure to pay the requested deposit. Interest, as prescribed by KRS 74.050, will be paid annually either by refund or credit to the customer's bill, except that no refund or credit will be made if the customer's bill is delinquent on the anniversary date of the deposit.

The deposit may be waived upon a customer's showing of satisfactory credit or payment history, and required deposits will be returned after one (1) year if the customer has established a satisfactory payment record for that period. If a deposit has been waived or returned and the customer fails to maintain a satisfactory payment record, a deposit may then be required.

The Company may require a deposit in addition to the initial deposit if the customer's classification of service changes or if there is a substantial change in usage. Upon termination of service, the deposit, any principal amounts, and any interest earned and owing will be credited to the final bill with any remainder refunded to the customer.

In determining whether a deposit will be required or waived, the following criteria will be considered:

1. Previous payment history with the Company. If the customer has no previous history with the Company, statements from other utilities, banks, etc. may be presented by the customer as evidence of good credit.
2. Whether the customer has an established income or line of credit.
3. Length of time the customer has resided or been located in the area.
4. Whether the customer owns property in the area.
5. Whether the customer has filed bankruptcy proceedings within the last seven years.

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

APR 7 1994

DATE OF ISSUE October 5, 1993  
MONTH DAY YEAR

PURSUANT TO 807 KAR 5:011,  
DATE EFFECTIVE October 5, 1993  
MONTH DAY YEAR

ISSUED BY [Signature] President P. O. Box 551 Prestonsburg, KY 41653  
NAME OF OFFICER TITLE ADDRESS

CANCELLED  
MAR 01 2009  
KENTUCKY PUBLIC  
SERVICE COMMISSION

FOR ENTIRE AREA SERVED

P.S.C. KY. NO. 1

1st SHEET NO. 5

Canceling P.S.C. KY NO.

SHEET NO.

EAST KENTUCKY UTILITIES, INC.

RULES AND REGULATIONS

6. Whether another customer with a good payment history is willing to sign as a guarantor for an amount equal to the required deposit.

If a deposit is held longer than 18 months, the deposit will be recalculated at the customer's request based on the customer's actual usage. If the deposit on account differs from the recalculated amount by more than \$10.00 for a residential customer or 10 percent for a non-residential customer, the Company may collect any underpayment and shall refund any overpayment by check or credit to the customer's bill. No refund will be made if the customer's bill is delinquent at the time of the recalculation.

Residential customers will pay equal deposits in the amount of \$150.00.

(18) Standard pressure 6 ounces per 807KAR 5:021 Section 16 (2)

(19) Average heating value is same as wholesale supplier Kentucky West Virginia Gas Company.

(20) Monitoring of Customer Usage

At least once annually the Company will monitor the usage of each customer according to the following procedure:

1. The customer's annual usage for the most recent 12-month period will be compared with the annual usage for the 12 months immediately preceding that period.
2. If the annual usage for the two periods are substantially the same or if any difference is known to be attributed to unique circumstances, such as unusual weather conditions, common to all customers, no further review will be done.
3. If the annual usages differ by 50 percent or more and cannot be attributed to a readily identified common cause, the Company will compare the customer's monthly usage records for the 12-month period with the monthly usage for the same months of the year.

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

APR 7 1994

DATE OF ISSUE October 5, 1993  
MONTH DAY YEAR

PURSUANT TO 807 KAR 5:011,  
DATE EFFECTIVE October 9, 1993  
MONTH DAY YEAR

ISSUED BY *Paul K. Allen* President P. O. Box 551 Prestonsburg, KY 41653  
NAME OF OFFICER TITLE ADDRESS

CANCELLED  
MAR 01 2009  
KENTUCKY PUBLIC  
SERVICE COMMISSION

FOR ENTIRE AREA SERVED

P.S.C. KY. NO. 1

1st SHEET NO. 6

Canceling P.S.C. KY NO.

SHEET NO.

EAST KENTUCKY UTILITIES, INC.

RULES AND REGULATIONS

- 4. If the cause for the usage deviation cannot be determined from analysis of the customer's meter reading and billing records, the Company will contact the customer by telephone or in writing to determine whether there have been changes such as different number of household members or work staff, additional or different appliances, changes in business volume, or known leaks in the customer's service line.
- 5. Where the deviation is not otherwise explained, the Company will test the customer's meter to determine whether it shows an average error greater than 2 percent fast or slow.
- 6. The Company will notify the customers of the investigation, its findings, and any refunds or back billing in accordance with 807 KAR 5:006, Section 10(4) and (5).

In addition to the annual monitoring, the Company will immediately investigate usage deviations brought to its attention as a result of its on-going meter reading or billing processes or customer inquiry.

(21) Gas Cost Adjustment Clause

The rates authorized herein are based upon the wholesale cost of gas to East Kentucky as computed using rates of its wholesale suppliers currently in effect. In the event there is an increase or decrease in wholesale gas cost, East Kentucky shall file with this Commission the following information within 30 days:

- 1. A copy of the contract or wholesale supplier notification effecting the change in rate and a statement relative to the effective date of such proposed change.
- 2. A statement setting out gas sales for the most recent 12 months.

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

APR 7 1994

PURSUANT TO 807 KAR 5:011,  
SECTION 9(1)

DATE OF ISSUE	October 5, 1993	DATE EFFECTIVE	October 5, 1993
	MONTH DAY YEAR		MONTH DAY YEAR

*James A. Lee*  
DIRECTOR  
PUBLIC SERVICE COMMISSION

ISSUED BY	<i>David L. Allen</i>	P. O. Box 551	Prestonsburg, KY 41653
	NAME OF OFFICER	TITLE	ADDRESS