

BEFORE THE TENNESSEE PUBLIC SERVICE COMMISSION

Nashville, Tennessee

December 22, 1995

**IN RE: THE JOINT PETITION OF HARDIN COUNTY GAS COMPANY AND
COUNCE NATURAL GAS CORP. FOR TRANSFER OF A
CERTIFICATE OF CONVENIENCE AND NECESSITY TO OPERATE
A NATURAL GAS DISTRIBUTING COMPANY IN HARDIN COUNTY,
TENNESSEE FROM HARDIN COUNTY GAS COMPANY TO
COUNCE NATURAL GAS CORP.**

Docket No. 95-03379

ORDER

This matter is before the Tennessee Public Service Commission upon the Joint Petition of Hardin County Gas Company and Counce Natural Gas Corp. for transfer of a Certificate of Convenience and Necessity to operate a natural gas distributing company in Hardin County, Tennessee, from Hardin County Gas Company to Counce Natural Gas Corp.

This matter was heard December 6, 1995, in Nashville, Tennessee, before Ralph B. Christian, II, Administrative Judge, on December 13, 1995 the Administrative Judge issued his Initial Order recommending that the Joint Petition to transfer a Certificate of Convenience pursuant to the Asset, Purchase and Sale Agreement as modified by a stipulation of the parties be granted. Counce Natural Gas Corporation's January 1, 1996, Pro Forma Balance Sheet, reflecting acquisition of assets from Hardin County Gas Company is attached.

IT IS THEREFORE ORDERED:

1. That the Administrative Judge's Initial Order, dated December 13, 1995, in this docket is hereby ratified, adopted, and incorporated by reference in this Order as fully as though copied verbatim herein, including the findings and conclusions of the Administrative Judge which the Commission adopts as its own;

2. That the Joint Petition of Hardin County Gas Company and Counce Natural Gas Corp. for the transfer of a Certificate of Convenience and Necessity to operate a natural gas distribution company in Hardin County, Tennessee from Hardin County Gas Company to Counce Natural Gas Corp., pursuant to the Asset, Purchase and Sale Agreement as set forth in Exhibit 2 to the Joint Petition and as modified by the attached Stipulation is hereby **granted**.

3. That Counce Natural Gas Corp. is hereby authorized to provide the transferred services subject to the continued regulation of the Tennessee Public Service Commission.

4. That Counce Natural Gas Corp. shall begin service under the transferred Certificate of Convenience and Necessity following the date of the Final Order entered by the Public Service Commission, the transfer of assets, and upon complying with the rules and regulations of the Tennessee Public Service Commission.

5. That any party aggrieved by the Commission's decision in this matter may file a Petition for Reconsideration with the Tennessee Public Service Commission within ten (10) days from and after the date of this Order.

6. That any party aggrieved by the Commission's decision in this matter may file a Petition for Review in the Tennessee Court of Appeals, Middle Section, within sixty (60) days from and after the date of this Order.


CHAIRMAN


COMMISSIONER


COMMISSIONER

ATTEST:


EXECUTIVE DIRECTOR

RBC121895