

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF ATMOS ENERGY)	
CORPORATION FOR A CERTIFICATE OF)	
PUBLIC CONVENIENCE AND NECESSITY)	CASE NO.
AUTHORIZING IT TO BID ON A FRANCHISE)	2019-00137
ESTABLISHED BY THE CITY OF ELKTON,)	
KENTUCKY)	

ORDER

On April 29, 2019, Atmos Energy Corporation (Atmos) filed its application with the Commission seeking a Certificate of Public Convenience and Necessity (CPCN) to authorize it to bid on a franchise offered by the city of Elkton, Kentucky, for natural gas service. Under the provisions of KRS 278.020(4), no utility may apply for a franchise from any governmental agency until it has obtained a CPCN from this Commission based on our finding that there is a need and demand for the service sought to be rendered.

In light of the city of Elkton’s ordinance creating a franchise for natural gas service, the Commission determines that there is evidence of a need and demand natural gas service in the above-mentioned city. Because the Commission’s authority in such matters is limited by statute to finding only whether there is a need and demand for the service sought to be rendered, no finding or determination is made as to the qualifications of the bidder, the validity of any of the provisions of the franchise offered by said city, or the manner in which any franchise fee is to be treated for rate purposes.

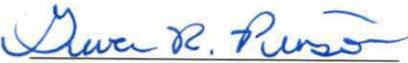
IT IS THEREFORE ORDERED that:

1. Atmos is granted a CPCN that authorizes it to bid on a franchise offered by the city of Elkton, Kentucky, for natural gas service.
2. If Atmos is not the successful bidder, Atmos shall, within ten days of the award of the franchise at issue, file with the Commission a written notice stating that Atmos was not the successful bidder.
3. If Atmos is the successful bidder, Atmos shall file, within ten days of the award of the franchise at issue, with the Commission a copy of the executed franchise agreement and a statement disclosing the amount of the initial franchise fee.
4. If Atmos is the successful bidder, Atmos shall, within ten days of an increase or decrease in the amount of the initial franchise fee set forth in the franchise agreement, file with the Commission documentation setting forth the revised fee.
5. Any documents filed pursuant to ordering paragraphs 2, 3, or 4 of this Order shall reference the number of this case and shall be electronically submitted via the Commission's electronic Tariff Filing System.
6. This Order shall not be construed as granting a CPCN to construct utility facilities in said city.
7. This case is closed and removed from the Commission's docket.

By the Commission

ENTERED
MAY 07 2019
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:


Executive Director

Case No. 2019-00137

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