

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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In the Matter of

THE APPLICATION OF DELTA NATURAL)
GAS COMPANY, INC. FOR A CERTIFI-)
CATE OF CONVENIENCE AND NECESSITY) CASE NO. 8143
TO BID ON A FRANCHISE OFFERED BY)
BARBOURVILLE, KENTUCKY)

O R D E R

On the 10th day of February, 1981, Delta Natural Gas Company filed its Application seeking a certificate of convenience and necessity to bid on a franchise from the City of Barbourville, Kentucky. Pursuant to the provisions of KRS 278.020(3) no utility may apply for a franchise from any governmental agency until it has obtained a certificate of convenience and necessity from the Commission based on a finding that there is a need and demand for the service sought to be rendered.

A hearing in this matter was held in the Commission's offices at Frankfort, Kentucky on March 5, 1981.

The Commission, having considered the matter and being advised, is of the opinion and finds that there is a need and demand for gas service in the City of Barbourville, Kentucky. Since the Commission's authority in such matters is limited by statute to a determination as to whether there is a need and demand for the service, no finding or determination is made herein as to the validity of any of the provisions of the franchise

offered by the City or the manner in which any franchise fee is to be treated for rate purposes.

IT IS THEREFORE ORDERED That Delta Natural Gas, Inc. be and it hereby is granted a certificate of convenience and necessity to bid on a franchise in the City of Barbourville, Kentucky.

IT IS FURTHER ORDERED That Delta Natural Gas, Inc., should it become the successful bidder, file with the Commission a copy of the franchise.

IT IS FURTHER ORDERED That this Order shall not be construed as granting a certificate of convenience and necessity to construct utility facilities in the City.

Done at Frankfort, Kentucky, this 16th day of March, 1981.

PUBLIC SERVICE COMMISSION

Marlin M. Volk
Chairman

Katherine Randall
Vice Chairman

Don Harvill
Commissioner

ATTEST:

Secretary