

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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In the Matter of

APPLICATION OF WESTERN KENTUCKY GAS)
COMPANY, A DIVISION OF TEXAS AMERICAN)
ENERGY CORPORATION, OWENSBORO, KEN-)
TUCKY FOR A CERTIFICATE AUTHORIZING)
IT TO BID ON FRANCHISE ESTABLISHED)
AND TO BE OFFERED FOR SALE BY THE)
CITY OF OWENSBORO, DAVIESS COUNTY,)
KENTUCKY)

CASE NO.
8520

O R D E R

On May 11, 1982, Western Kentucky Gas Company filed with the Commission its Application seeking a certificate of convenience and necessity to qualify it to bid on a gas franchise from the City of Owensboro, Daviess County, Kentucky. Under 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 this Commission based on our 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 June 2, 1982.

The Commission finds that there is a need and demand for gas service in the City of Owensboro, Daviess County, Kentucky. Since 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 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 Western Kentucky Gas Company be and it hereby is granted a certificate of convenience and necessity which authorizes it to bid on a gas franchise in the City of Owensboro, Daviess County, Kentucky.

IT IS FURTHER ORDERED That Western Kentucky Gas Company, if it becomes the successful bidder, file with this Commission a copy of the said 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 said city.

Done at Frankfort, Kentucky, this 4th day of June, 1982.

PUBLIC SERVICE COMMISSION

Marlin M. Voth
Chairman

Katherine Randall
Vice Chairman

Don Canizer
Commissioner

ATTEST:

Secretary