

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF KENTUCKY POWER )  
COMPANY FOR A CERTIFICATE OF )  
CONVENIENCE AND NECESSITY AUTHORIZING ) CASE NO. 10231  
THE APPLICANT TO OBTAIN A FRANCHISE )  
IN THE CITY OF WAYLAND, FLOYD COUNTY, )  
KENTUCKY )

O R D E R

On April 25, 1988, Kentucky Power Company ("KPC") filed with the Commission its application seeking a certificate of convenience and necessity to qualify it to bid on an electric franchise in the City of Wayland, 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 services sought to be rendered.

The Commission finds that there is a need and demand for electric service in the above mentioned city. 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:**

1. KPC be and it hereby is granted a certificate of convenience and necessity which authorizes it to bid on an electric franchise in the above mentioned city.

2. KPC, if it becomes the successful bidder, shall file with this Commission 2 copies of the said franchise.

3. This Order shall not be construed as granting a certificate of convenience and necessity to construct utility facilities in the said city.

Done at Frankfort, Kentucky, this 29th day of April, 1988.

**PUBLIC SERVICE COMMISSION**

*Richard D. Hemmings*  
Chairman

*Robert M. Davis*  
Vice Chairman

*Spencer W. Williams*  
Commissioner

**ATTEST:**

**Executive Director**