

RECEIVED

MAR 15 2013

PUBLIC SERVICE
COMMISSION

421 West Main Street
Post Office Box 634
Frankfort, KY 40602-0634
15021 223-3477
15021 223-4124 Fax
www.stites.com

March 15, 2013

HAND DELIVERED

Jeff R. Derouen
Executive Director
Public Service Commission
211 Sower Boulevard
P.O. Box 615
Frankfort, KY 40602-0615

Mark R. Overstreet
(502) 209-1219
(502) 223-4387 FAX
moverstreet@stites.com

RE: Commission Case No. 2011-00294 (City of Jenkins Franchise)

Dear Mr. Derouen:

Pursuant to the Commission's Order dated October 18, 2012, Kentucky Power Company states that it was the successful bidder for the City of Jenkins franchise.

An executed copy of the Acceptance of the City of Jenkins franchise, along with the City of Jenkins Ordinance No. 236, 2013, which together constitute the franchise agreement, are filed herewith.

In accordance with the Commission's order, this letter, the Acceptance, and City of Jenkins Ordinance No. 236, 2013 should be placed of record in the Company's general correspondence file.

Very truly yours,


Mark R. Overstreet

MRO
Enclosure

ACCEPTANCE

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PUBLIC SERVICE
COMMISSION

TO THE MAYOR AND CITY COUNCIL
THE CITY OF JENKINS, KENTUCKY

WHEREAS, on the 4 day of March, 2013, the City
Council of the City of Jenkins, Kentucky, passed Ordinance No. 236,
2013, entitled:

ORDINANCE NO. 236

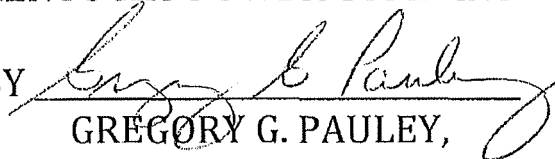
An Ordinance of the City Council of the City of Jenkins,
Kentucky, granting to Kentucky Power Company, its successors
and assigns, a ten (10) years franchise, privilege, right and
authority to acquire, maintain, construct, and operate in,
above, under, across and along the streets, thoroughfares,
alleys, sidewalks, bridges, public ways and other public places
of the City of Jenkins, Kentucky, and its successors and assigns,
lines, poles and equipment for the transportation,
transmission, and distribution of electric energy to the City
of Jenkins and the inhabitants thereof and the persons and
corporations beyond the limits thereof for light, heat, power
and other purposes and for the transmission, transportation
and distribution of same within, through or across said City.

WHEREAS, the undersigned, Kentucky Power Company, is
willing to accept said Ordinance granting said franchise in
accordance with the terms and conditions therein set forth.

NOW, THEREFORE, the said Kentucky Power Company assents to and accepts the terms and provisions of said Ordinance and agrees to be bound and abide by said terms and provisions as set forth in said Ordinance.

IN WITNESS WHEREOF, the said Kentucky Power Company, a Kentucky corporation, has caused its name to be hereunto affixed by Gregory G. Pauley, its President and Chief Operating Officer, on this the 11th day of March, 2013.

KENTUCKY POWER COMPANY

BY 

GREGORY G. PAULEY,
PRESIDENT AND CHIEF
OPERATING OFFICER

STATE OF KENTUCKY

COUNTY OF PERRY

I, a Notary Public, in and for the County and State aforesaid, do certify that the foregoing Acceptance was this day acknowledged before me by Gregory G. Pauley, President and Chief Operating

Officer of Kentucky Power Company, to be his free act and deed in
said capacity, this the 11th day of MARCH, 2013.

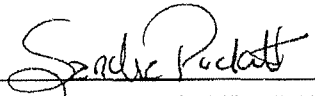
My commission expires: MAY 6TH 2014



NOTARY PUBLIC, STATE-AT-LARGE

I, Sandra Puckett, Clerk of the City of Jenkins, Kentucky, do
hereby certify that the above is a true copy of the Acceptance by
Kentucky Power Company of an electrical franchise Ordinance
passed by the City Council, of said City on the 4 day of
MARCH, 2013.

Received and filed on this the 13 day of MARCH, 2013.



CLERK
CITY OF JENKINS, KENTUCKY

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PUBLIC SERVICE
COMMISSION

ORDINANCE NO. 236

An Ordinance of the City Council of the City of Jenkins, Kentucky, granting to Kentucky Power Company, its successors and assigns, a ten (10) year franchise, privilege, right and authority to acquire, maintain, construct and operate in, above, under across and along the streets, thoroughfares, alleys, sidewalks, bridges, public ways and other public places of the City of Jenkins, Kentucky, and its successors and assigns, lines, poles and equipment for the transportation, transmission, and distribution of electric energy to the City of Jenkins and the inhabitants thereof and the persons and corporations beyond the limits thereof for light, heat, power and other purposes and for the transmission, transportation, and distribution of same within, through or across said City.

BE IT ORDAINED BY THE CITY OF JENKINS, LETCHER

COUNTY, KENTUCKY, AS FOLLOWS:

Section 1: Kentucky Power Company, its successors and assigns, hereinafter called grantee, is granted the franchise, privilege, right and authority to acquire, maintain, construct and operate in, above, under, across, and along the streets, thoroughfares, alleys, sidewalks, bridges, public ways and other public places (as the same now exist or may hereafter be laid out) of

the City of Jenkins, Letcher County, Kentucky, lines, poles and equipment for the transportation, transmission and distribution of electric energy, either by means of overhead or underground conductors, with all the necessary or desirable appurtenances, for the purpose of supplying electric energy to said City and the inhabitants thereof, and persons and corporations beyond the limits thereof, for light, heat, power, and any other purpose or purposes for which electric energy is now or may hereafter be used, and for the transmission of the same within, through or across said City.

Section 2: Said lines and appurtenances shall be constructed so as to interfere as little as possible with the traveling public in its use of the streets, thoroughfares, alleys, sidewalks, bridges, public ways, and other public places.

Section 3: The franchise, privilege, right and authority shall be in full force and effect for a period of ten (10) years from and the date of passage of this Ordinance.

Section 4: The grantee of this franchise shall save the City harmless from any and all liability arising in any way from negligence of the grantee in the erection, maintenance or operation of said lines and appurtenances.

Section 5: The grantee of this franchise shall have the right and privilege to take up such portion or part of any pavement and make such excavation in the streets, thoroughfares, alleys, sidewalks, bridges, public ways and other public places of the City of Jenkins as may be deemed necessary for the construction and maintenance of its lines, wires or cables, but, whenever the grantee of this franchise shall begin the erection of any lines or other equipment, it shall promptly and diligently prosecute the work to completion, and leave the streets, thoroughfares, alleys, sidewalks, bridges, public ways and other public places where such work is done in as good condition of repair as before such work was commenced.

Section 6: Wherever in this franchise either the City of Jenkins or the grantee thereof is referred to, it shall be deemed to include

the respective successors and assigns, of either, and all rights, privileges and obligations contained in this franchise shall be binding upon, and inure to the benefit of, the respective successors and assigns, of the City and said grantee, whether so expressed or not.

Section 7: The grantee of this franchise may make such rules and regulations covering the furnishing of said electric energy as may be fair and reasonable and consistent with the standard practice of the grantee. Said grantee may charge such rates for electric service as shall be fair and reasonable. The said grantee shall render service under said franchise of like quality, that is, adequate, efficient and reasonable, to that now being rendered to the City.

Section 8: The consideration paid and agreed to be paid in its bid by the grantee for the franchise, privilege, right and authority provided for herein, shall be complete compensation and consideration for said franchise, privilege, right and authority, and

for the use and occupancy of the streets, thoroughfares, alleys, sidewalks, bridges, public ways and other public places of the City, in lieu of any street or alley rental or of any charge for the use or occupancy of said streets, thoroughfares, alleys, sidewalks, bridges, public ways and other public places of said City, and in lieu of any pole tax or meter tax.

Section 9: The Ordinance granting this franchise shall be accepted by the grantee thereof within sixty (60) days from the date of its passage.

Section 10: All Ordinances and parts of Ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

Section 11: This Ordinance shall be in full force and effect upon its passage by the City Council.


G. C. KINCER, MAYOR

ATTEST:


_____, CLERK

Introduction and First Reading:

February 11, 2003

ORDINANCE NO. 236

An Ordinance of the City Council of the City of Jenkins, Kentucky, granting to Kentucky Power Company, its successors and assigns, a ten (10) year franchise, privilege, right and authority to acquire, maintain, construct and operate in, above, under across and along the streets, thoroughfares, alleys, sidewalks, bridges, public ways and other public places of the City of Jenkins, Kentucky, and its successors and assigns, lines, poles and equipment for the transportation, transmission, and distribution of electric energy to the City of Jenkins and the inhabitants thereof and the persons and corporations beyond the limits thereof for light, heat, power and other purposes and for the transmission, transportation, and distribution of same within, through or across said City.

BE IT ORDAINED BY THE CITY OF JENKINS, LETCHER
COUNTY, KENTUCKY, AS FOLLOWS:

Section 1: Kentucky Power Company, its successors and assigns, hereinafter called grantee, is granted the franchise, privilege, right and authority to acquire, maintain, construct and operate in, above, under, across, and along the streets, thoroughfares, alleys, sidewalks, bridges, public ways and other public places (as the same now exist or may hereafter be laid out) of

the City of Jenkins, Letcher County, Kentucky, lines, poles and equipment for the transportation, transmission and distribution of electric energy, either by means of overhead or underground conductors, with all the necessary or desirable appurtenances, for the purpose of supplying electric energy to said City and the inhabitants thereof, and persons and corporations beyond the limits thereof, fro light, heat, power, and any other purpose or purposes for which electric energy is now or may hereafter be used, and for the transmission of the same within, through or across said City.

Section 2: Said lines and appurtenances shall be constructed so as to interfere as little as possible with the traveling public in its use of the streets, thoroughfares, alleys, sidewalks, bridges, public ways, and other public places.

Section 3: The franchise, privilege, right and authority shall be in full force and effect for a period of ten (10) years from and the date of passage of this Ordinance.

Section 4: The grantee of this franchise shall save the City harmless from any and all liability arising in any way from negligence of the grantee in the erection, maintenance or operation of said lines and appurtenances.

Section 5: The grantee of this franchise shall have the right and privilege to take up such portion or part of any pavement and make such excavation in the streets, thoroughfares, alleys, sidewalks, bridges, public ways and other public places of the City of Jenkins as may be deemed necessary for the construction and maintenance of its lines, wires or cables, but, whenever the grantee of this franchise shall begin the erection of any lines or other equipment, it shall promptly and diligently prosecute the work to completion, and leave the streets, thoroughfares, alleys, sidewalks, bridges, public ways and other public places where such work is done in as good condition of repair as before such work was commenced.

Section 6: Wherever in this franchise either the City of Jenkins or the grantee thereof is referred to, it shall be deemed to include

the respective successors and assigns, of either, and all rights, privileges and obligations contained in this franchise shall be binding upon, and inure to the benefit of, the respective successors and assigns, of the City and said grantee, whether so expressed or not.

Section 7: The grantee of this franchise may make such rules and regulations covering the furnishing of said electric energy as may be fair and reasonable and consistent with the standard practice of the grantee. Said grantee may charge such rates for electric service as shall be fair and reasonable. The said grantee shall render service under said franchise of like quality, that is, adequate, efficient and reasonable, to that now being rendered to the City.

Section 8: The consideration paid and agreed to be paid in its bid by the grantee for the franchise, privilege, right and authority provided for herein, shall be complete compensation and consideration for said franchise, privilege, right and authority, and

for the use and occupancy of the streets, thoroughfares, alleys, sidewalks, bridges, public ways and other public places of the City, in lieu of any street or alley rental or of any charge for the use or occupancy of said streets, thoroughfares, alleys, sidewalks, bridges, public ways and other public places of said City, and in lieu of any pole tax or meter tax.

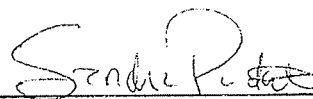
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G. C. KINCER, MAYOR

ATTEST:


_____, CLERK

Introduction and First Reading:

February 11, 2013