



PPL companies

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JAN 23 2013

PUBLIC SERVICE  
COMMISSION

January 22, 2013

Mr. Jeff Derouen  
Executive Director  
Public Service Commission of Kentucky  
211 Sower Boulevard  
Frankfort, Kentucky 40602

**LG&E and KU Energy LLC**  
Legal Department  
220 West Main Street  
Louisville, Kentucky 40202  
[www.lge-ku.com](http://www.lge-ku.com)

Allyson K. Sturgeon  
Senior Corporate Attorney  
T 502-627-2088  
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**RE: Application of Kentucky Utilities Company for a Certificate of Public Convenience and Necessity Authorizing KU to Bid on a Franchise Established by the City of Russell Springs**

Dear Mr. Derouen:

Enclosed please find an original and 10 copies of an Application for a Certificate of Public Convenience and Necessity ("CCN"), to enable Kentucky Utilities Company (the "Company") to apply for an electric franchise with the City of Russell Springs (the "City") pursuant to KRS 278.020(4). In a public meeting held on January 10, 2013 the City Council of Russell Springs, Kentucky passed Ordinance No. 2012-05, which directed the advertising for bids and selling of an electric franchise in the City. The Company asks that the Commission enter an Order granting a Certificate of Public Convenience and Necessity to bid for and acquire a franchise from the City on or before February 4, 2013.

For many years, the Company has been the owner of a franchise granted by the City to erect facilities for providing electric service to the City and the inhabitants thereof. The franchise to be obtained will replace the previous franchise.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink that reads "Allyson K. Sturgeon". The signature is written in a cursive, flowing style.

Allyson K. Sturgeon

Enclosures

**BEFORE THE  
KENTUCKY PUBLIC SERVICE COMMISSION**

**In the Matter of:**

**APPLICATION OF KENTUCKY UTILITIES COMPANY    )  
FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND    )  
NECESSITY AUTHORIZING KU TO BID ON A         ) CASE NO. 2013-\_\_\_\_\_  
FRANCHISE ESTABLISHED BY THE CITY OF         )  
RUSSELL SPRINGS, KENTUCKY                     )**

**APPLICATION**

The Applicant, Kentucky Utilities Company (“KU”), respectfully states as follows:

1. The Post Office address of the principal office of Applicant is 220 West Main Street, Louisville, Kentucky 40202. KU is a Kentucky corporation authorized to do business in the Commonwealth of Kentucky.

2. KU is a utility engaged in the business of supplying electric service in and to various cities and the inhabitants thereof within the Commonwealth of Kentucky, and has conducted such business for a number of years. The instant filing is made in accordance with Section 278.020(4) of the Kentucky Revised Statutes.

3. Receipt of the requested certificate will allow KU to pursue its bid on a new franchise for which the City of Russell Springs, Kentucky (the “City”) has solicited bids pursuant to resolution or ordinance and advertisement, a copy of which is attached hereto as Exhibit A.

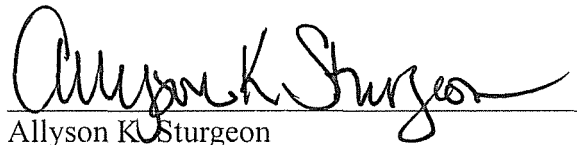
4. A certified copy of KU’s Articles of Incorporation is already on file with the Commission in Case No. 2010-00204 and is incorporated herein by reference pursuant to 807 KAR 5:001, Section 8(3).

5. There is and will continue to be a demand and need for electric service in the areas of the City subject to the franchise, and KU desires to obtain a franchise in accordance with the bidding protocol established by the City.

6. Should KU be successful in acquiring said franchise, it will file copies thereof with the Commission.

WHEREFORE, Kentucky Utilities Company asks that the Commission enter an Order granting to KU a Certificate of Public Convenience and Necessity to bid for and acquire a franchise from the City on or before February 4, 2013.

Dated at Louisville, Kentucky, this 22<sup>nd</sup> day of January, 2013.



Allyson K. Sturgeon  
Senior Corporate Counsel  
Kentucky Utilities Company  
220 West Main Street  
Louisville, Kentucky 40202  
(502) 627-2088

## **Exhibit A**

COMMONWEALTH OF KENTUCKY  
CITY OF RUSSELL SPRINGS

ORDINANCE NO. 2012-05

AN ORDINANCE CREATING A FRANCHISE FOR THE ERECTION, LAYING AND MAINTENANCE OF ELECTRIC FACILITIES AND APPURTENANT FACILITIES AND EQUIPMENT IN, ALONG AND ACROSS THE PUBLIC WAYS, ROADS, STREETS, ALLEYS AND OTHER PUBLIC PLACES IN THE CITY OF RUSSELL SPRINGS KENTUCKY: FOR FURNISHING AND SELLING ELECTRICITY BY MEANS OF SAID FACILITIES; AND PROVIDING FOR THE SALE OF SAID FRANCHISE.

WHEREAS, the City of Russell Springs ("City") wishes to ensure that electric service continues to be furnished to its citizens in a reliable and efficient manner;

WHEREAS, the City is aware that the provision of such service requires the continued use of public streets, ways, alleys and other public places;

WHEREAS, the franchise granted to and acquired by Kentucky Utilities Company on 5-13, ~~20~~<sup>1993</sup>, under which that utility provided such service, will expire by its terms; May 13, 2013

WHEREAS, the City wishes to provide for the sale of a new franchise for the benefit of its citizenry, giving effect to Section 96.010 of the Kentucky Revised Statutes;

**NOW, THEREFORE, BE IT ORDAINED** as follows:

Section 1. An exclusive franchise ("Franchise") to use the City's public rights-of-way, as described in the Franchise Agreement attached to this Ordinance, is hereby created.

Section 2. The Franchise created by this Ordinance shall be bid in accordance with the applicable requirements of the Constitution of the Commonwealth of Kentucky and Chapter 424 of the Kentucky Revised Statutes, as well as any applicable City ordinances.

Section 3. The Franchise created by this Ordinance shall be awarded to the highest and best bidder as shall be determined by the City in its sole discretion. In awarding the Franchise, the

City shall consider the technical, managerial, and financial qualifications of the bidder to perform its obligations under the Franchise.

Section 4. The winning bidder and the City shall negotiate, execute and be bound by a Franchise Agreement with terms identical to, or substantially identical to, the Franchise Agreement referenced in Section 1 above and attached hereto, such Agreement to contain terms "that are fair and reasonable to the City, to the purchaser of the Franchise and to the patrons of the utility" (KRS Section 96.010). Such Franchise Agreement shall take effect no earlier than 90 days after its execution, to allow the City and the winning bidder to develop appropriate procedures for identifying and reviewing the electric-consuming entities within the City's corporate limits.

Section 5. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section 6. Should any section, clause, line, paragraph, or part of this Ordinance or the attached Agreement be held unconstitutional or invalid for any reason, the same not affect the remainder of this Ordinance or the attached Agreement, as applicable.

Section 7. Time is of the essence in carrying out the terms and the provisions of this Ordinance and the Franchise created herein.

Section 8. This Ordinance shall become effective from and after its passage and publication.

Read at a meeting of the Russell Springs City Council on the 13 day of Dec, 2012; a second reading was held on the 10 day of Jan, 2013; said Ordinance was READ and APPROVED on the 10 day of Jan, 2013.

Hollis DeHart  
Hollis DeHart, Mayor

ATTESTED BY:

Wendy Burton  
Wendy Burton, City Clerk

# Circuit Clerk's Office launches new Organ Donor Heart on license

Starting Jan. 23, 2013 you can add a symbol that stands for hope and generosity on something you carry with you everywhere: your driver's license. Like Indiana, Ohio and several other states, Kentuckians will soon have the option to have an organ donor heart printed on

their license. "For more than 20 years, the Circuit Clerks of Kentucky have been educating communities about the life-saving mission of organ donation. Thousands of kids and adults are waiting for an organ transplant today. Now Kentuckians can proudly show

their support for these patients in need," explains Russell County Circuit Court Clerk Tony Kerr. When renewing a license, deputy clerks ask all Kentuckians if they would like to be a registered organ donor. Everyone who says "Yes" will have the

option to have a small blue heart with the words "Organ Donor" printed on his or her license. The Kentucky Transportation Cabinet has worked hand in hand with the Kentucky Circuit Court Clerks and the Trust for Life to get the heart symbol added to driver's license and ID cards.

"This is an important advancement in Kentucky. The organ donor heart will emphasize that it's not about signing the back of your license anymore. It's about saying 'Yes' and joining the Kentucky Organ Donor Registry," explained Shelley Snyder, Executive Director of the Kentucky Circuit Court Clerks' Trust for Life.



Circuit Clerk Tony Kerr presented the new organ donor heart this week.

## Conservation district accepting cost share applications

The Russell County Conservation District is now accepting Kentucky Soil Erosion and Water Quality Cost Share Applications on a continuous basis.

This continual sign-up is designed to make the program more "landowner friendly" and help address the needs of a landowner at any time during the year. As landowners plan conservation projects with the assistance of their local conservation district, they will be able to apply for financial assistance for those projects without having to wait for a designated sign up period.

Thousands of Kentucky landowners have received state assistance through the Kentucky Soil Erosion and Water Quality Cost Share program. Known

informally as state cost share, the program was created in 1994 and helps landowners implement best management practices to protect soil and water resources on their property. Since the program's inception, more than \$129 million has been approved for use in implementing best management practices through more than 15,000 submitted applications. This money has assisted landowners in all of Kentucky's 120 counties.

Many state cost share practices are offered through the state cost share program. Some examples are: agriculture and animal waste control facilities, streambank stabilization, animal waste utilization, vegetative filter strips, integrated crop management, pesticide containment, sinkhole protection, pasture and

hay land forage quality and heavy use area protection. A list of all practices is available at <http://conservation.ky.gov/Pages/StateCostShare.aspx>.

The Kentucky Soil Erosion and Water Quality Cost Share program is funded through the Tobacco Settlement Funds and the Kentucky Department of Agriculture. For the 2013 program, \$2.5 million will be available to landowners across the state.

For more information on the Kentucky Soil Erosion and Water Quality Cost Share program, visit Kenny Hammond or Jennifer Hardwick at the Russell County Conservation District located at 159 Feroz Way, Jamestown.

You may also call the district at 270-343-3343.

## HOOPS: Lakers, Lady Lakers knock off district foe Clinton Co.

Continued from front page: patience taking higher percentage shots." Pippin said "That is something we are really emphasizing in practice...patience in our half court sets. We are still learning how to go from green light to yellow light."

He said his team in now doing an excellent job getting out in transition.

"It's when we don't have a lay-up in transition that requires more patience," he said "We are getting better."

Lady Laker junior Madison Loy led all scorers with 22 points on 10-16 shooting while senior LeeAnn Grider added 13 points to go along with seven steals.

Returning from sickness, senior Regan Helm added seven points, 8th grader Kailey Colley finished with five points and nine rebounds. Senior Ally Harris tallied four points while

senior Amanda Cooper and junior Baylee Hudley each added one point.

"The next meeting has to be different," Pippin said "We will focus more on interior defense as the district tournament approaches."

The Lady Lakers and Lakers both traveled to Southwestern for a doubleheader with the Lady Warriors and Warriors on Tuesday night in a game that ended too late for this issue.

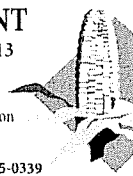
Then, the Lakers will travel to Laurel County on Friday night for a 7 p.m. game while the Lady Lakers will be back in action on Saturday at 10:30 a.m. against Madison Southern in the Coaches vs. Cancer Classic at East Jessamine. Both teams will be back home for a district doubleheader on Monday Jan. 21 against Cumberland County. The girls game gets underway at 6 p.m. and will be followed by the boys' matchup.

## WANT TO RENT

### CROP LAND for 2013

Longer Terms Available  
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If interested call  
859-907-8843 or 859-265-0339



# TAKE NOTICE:

We will be closed all day,  
January 21st  
For kitchen renovations

We will reopen  
Tuesday, January 22nd at 7 A.M.

Thanks for your patience,  
Bread of Life Management

## NOTICE OF SALE OF FRANCHISE

By virtue of a resolution heretofore passed by the Council of the City of Russell Springs, Kentucky, directing the advertisement for sealed bids and selling of a franchise to use certain streets, alleys, and public grounds of the City of Russell Springs, Kentucky for the purpose of owning, operating, equipping and maintaining a system for the transmission and distribution of electric energy. The City Clerk of Russell Springs, will on February 12, 2013 at or about 4:00 p.m. sell at public auction to the highest bidder at the City Hall of Russell Springs, a franchise for the purpose set out. Said franchise is more particularly described and fully defined in a proposed ordinance granting and creating the same and said proposed ordinance defines the terms and conditions upon which said sale shall be made. The full text of which is available for inspection in the office of the Russell Springs, City Clerk, 487 Main Street, Russell Springs, Kentucky. The ordinance by title and summary is as follows: ORDINANCE # 2012-05 AN ORDINANCE ESTABLISHING A FRANCHISE AGREEMENT RELATED TO THE TRANSMISSION AND DISTRIBUTION OF ELECTRICAL ENERGY, AND THE PROVISION OF RETAIL ELECTRIC SERVICE IN AREAS HERETOFORE SERVED BY KENTUCKY UTILITIES COMPANY.

Wendy Burton City Clerk, Wendy Burton  
Published 1-17-13

COMMONWEALTH OF KENTUCKY  
33<sup>RD</sup> JUDICIAL DISTRICT  
RUSSELL COUNTY COURT  
CIVIL ACTION NO. 11-CJ-06473

MONTECLO BANKING COMPANY  
VS  
NOTICE OF MASTER COMMISSIONERS SALE

KENNETH D. CATRON, JR. AND HIS WIFE, KATHY CATRON; FIRST NATIONAL BANK; UNITED STATES OF AMERICA, BY AND THROUGH THE DEPARTMENT OF TREASURY; INTERNAL REVENUE SERVICE; COMMONWEALTH OF KENTUCKY DEPARTMENT OF REVENUE; CAPITAL ONE BANK (USA), N.A. AND CENTRAL KENTUCKY TAX ACQUISITION

DEFENDANTS

By virtue of the Judgment and Order of Sale entered by the Russell Circuit Court on December 17, 2012, the Master Commissioner of the Russell Circuit Court shall proceed to offer for sale to the highest and best bidder at public auction, the following described real property situated in Russell County, Kentucky and more particularly described as follows:

TRACT ONE  
PROPERTY ADDRESS: 253 Caffey School Rd., Jamestown, Kentucky 42629  
Map No. 007-00-00-010-00

Beginning on an iron pin set on the right of way of Caffey School Road, said pin being corner to Terry Lawless (ILB, 95, Pg. 411); thence with the right of way of Caffey School Road for seven (7) rods as follows: (1) along a curve to the right having a radius of 218.66 feet and an arc length of 15.16 feet, being subtended by a chord of South 85 degrees 38 minutes 28 seconds West for a distance of 116.75 feet to a point on the right of way; thence (2) North 79 degrees 02 minutes 06 seconds West for a distance of 100.87 feet to a point on the right of way; thence (3) along a curve to the left having a radius of 634.17 feet and an arc length of 3110.00 feet, being subtended by a chord of South 86 degrees 57 minutes 16 seconds West for a distance of 206.92 feet to a point on the right of way; thence (4) South 71 degrees 57 minutes 16 seconds West for a distance of 145.76 feet to a point on the right of way; thence (5) along a curve to the right having a radius of 259.76 feet and an arc length of 147.88 feet, being subtended by a chord of North 86 degrees 33 minutes 14 seconds West for a distance of 147.83 feet to a point on the right of way; thence (6) North 86 degrees 33 minutes 14 seconds West for a distance of 215.27 feet to a point on the right of way; thence (7) along a curve to the left having a radius of 147.83 feet and an arc length of 83.49 feet, being subtended by a chord of North 83 degrees 15 minutes 49 seconds West for a distance of 229.82 feet to a point on the right of way; thence (8) along a curve to the right having a radius of 147.83 feet and an arc length of 83.49 feet, being subtended by a chord of North 83 degrees 15 minutes 49 seconds West for a distance of 229.82 feet to a point on the right of way; thence (9) North 83 degrees 15 minutes 49 seconds West for a distance of 309.46 feet to a point on the right of way; thence (10) North 64 degrees 25 minutes 15 seconds West for a distance of 324.49 feet to a iron pin set, said pin being corner to Tract #1 of the Keith and Joan Sparks Survey; thence with Tract #1 the North 26 degrees 20 minutes 49 seconds east for a distance of 280.00 feet to an iron pin set; thence continuing with Tract #1 the North 63 degrees 39 minutes 11 seconds West for a distance of 709.74 feet to an iron pin set, said pin being in Loan Simpson's line (D.L. 83, Page 69) thence with Loan Simpson's line North 33 degrees 39 minutes 00 seconds East for a distance of 149.36 feet to a iron pin set, thence with the right of way of Locust Grove Road, said pin being corner to Tract #2 of the Keith and Joan Sparks Survey; thence with Tract #2 the North 63 degrees 39 minutes 11 seconds East for a distance of 729.74 feet to an iron pin set, said pin being corner to Tract #1 of the Keith and Joan Sparks Survey; thence with Tract #1 the North 26 degrees 20 minutes 49 seconds East for a distance of 150.00 feet to a iron pin set on the right of way of Locust Grove Hill; thence with the right of way of Locust Grove Hill, North 14 degrees 07 minutes 15 seconds West for a distance of 241.42 feet; thence continuing with the right of way of Locust Grove Hill, North 63 degrees 39 minutes 11 seconds West for a distance of 274.02 feet; thence with the right of way of Locust Grove Hill, North 63 degrees 39 minutes 11 seconds West for a distance of 193.82 feet to the BEGINNING.

Said property contains 51.3564 acres, more or less, as surveyed by Gary L. Clitler (P.L.S. 2563) on the 26<sup>th</sup> day of August, 2001 (Job No. B1051). All pins set at the time of this survey were half-inch rebar with a yellow identification cap stamped C.L.C. 2563.

BEING the same property conveyed to Kenny Catron and Kathy Catron by deed dated September 18, 2001 and of record in Deed Book 187, Page 631, Russell County Court Clerk's Office, Jamestown, Kentucky.

TRACT TWO  
PROPERTY ADDRESS: 142 Locust Grove Rd., Jamestown, Kentucky 42629  
Map No. 007-00-00-010-01

BEGINNING on a set of iron found on the right of way of Locust Grove Road, said set being referenced by a iron pin set on South 39 degrees 37 minutes 52 seconds East a distance of 821 feet from said set of iron, said set being corner to Loan Simpson (Deed Book 86, Page 69); thence with Loan Simpson's line North 26 degrees 20 minutes 49 seconds East for a distance of 250.00 feet to an iron pin set, said pin being corner to Tract #2 of the Keith and Joan Sparks Survey; thence with Tract #2 the North 63 degrees 39 minutes 11 seconds East for a distance of 729.74 feet to an iron pin set, thence continuing with Tract #2 the North 26 degrees 20 minutes 49 seconds West for a distance of 150.00 feet to a iron pin set on the right of way of Locust Grove Hill; thence with the right of way of Locust Grove Hill, North 14 degrees 07 minutes 15 seconds West for a distance of 241.42 feet; thence continuing with the right of way of Locust Grove Hill, North 63 degrees 39 minutes 11 seconds West for a distance of 274.02 feet; thence with the right of way of Locust Grove Hill, North 63 degrees 39 minutes 11 seconds West for a distance of 193.82 feet to the BEGINNING.

Together with and subject to covenants, easements and restrictions of easements and restrictions of record.

There is a 15 foot utility easement from the intersection of Caffey School Road and Locust Grove Road along the Northwest right of way of Locust Grove Road to the East property line of the above described 1.7461 acre tract.

Said property contains 5.7561 acres, more or less, as surveyed by Gary L. Clitler (P.L.S. 2563) on the 28<sup>th</sup> day of August, 2001 (Job No. B1051). All pins set at the time of this survey were half-inch rebar with a yellow identification cap stamped C.L.C. 2563.

BEING the same property conveyed to Kenny Catron and Kathy Catron, his wife, by deed from Wanda Powell, single, dated April 18, 2003 and recorded in Deed Book 213, Page 831, in the office of the Russell County Clerk, Jamestown, Kentucky.

These two (2) tracts are to be sold separately.

DATE OF SALE: Friday, January 25, 2013 at 9:00 a.m. CT  
PLACE OF SALE: Russell County Judicial Center, Russell District Courtroom, 1<sup>st</sup> Floor, Jamestown, Kentucky

The sale of this property is conditioned to obtain the judgment due to the Plaintiff, First National Bank, in the total amount of \$268,461.44 as of October 18, 2011 plus interest at the rate of \$32.20 per day from October 18, 2011 until paid, plus any other costs, attorney fees, delinquent taxes and other expenses to be approved by the Court at a later date.

The sale of this property is also conditioned to obtain the judgment due to the Plaintiff, First National Bank, in the total amount of \$169,578.08 as of October 18, 2011 plus interest at the rate of \$32.20 per day from October 18, 2011 until paid, plus any other costs, attorney fees, delinquent taxes and other expenses to be approved by the Court at a later date.

There is also an amount due to the Plaintiff, Monteclo Banking Company, same being \$47,229.62 as of July 22, 2011 plus interest in the amount of \$2,257.43 to July 22, 2011, thereafter interest is due at the rate of \$8.34763 per day until paid. This amount due to the Plaintiff, Monteclo Banking Company, is secondary to the judgment due to the Plaintiff, First National Bank.

The United States of America, by and through the Department of Treasury Internal Revenue Service, shall have a statutory right of redemption pursuant to I.R.C. § 7424(b).

For the purchase price, the Purchaser(s) must pay in full by cash or good check on the date of sale to the Purchaser(s) who pay on behalf of the Seller. Any amount paid down on the day of sale and shall secure a good and sufficient purchase money bond, with approved surety thereon, for an amount equal to the balance of the purchase price payable to the Master Commissioner within thirty (30) days. Any such purchase money bond shall have the force and effect of a judgment and shall bind the property sold as additional security for the payment of the balance of the purchase price. The Master Commissioner's bond shall bear interest at the rate of twelve percent (12%) per annum until paid. Should execution be levied thereon, no receipt shall be allowed.

The property is sold subject to the following:

1. The property shall be sold without materially impairing its value or the interest of the parties herein, and it shall be sold as a whole by the Master Commissioner.
2. Delinquent property taxes, interest and penalties, if any.
3. Property taxes due and payable in the year 2012 and all taxes due hereafter for which the Purchaser(s) shall receive no credit against the purchase price.
4. Easements, restrictions and covenants of record.
5. Assessments for public improvements levied against the property.
6. Any facts, which may be revealed by visual inspection or accurate survey of the property and/or review of the property intended records of the Russell County Clerk and the Russell County Sheriff and be a warranty of good title.
7. Possession shall be given to the Purchaser(s) with the delivery of the Master Commissioner's Deed thereon. Purchaser(s) will assume and be responsible for all risks of loss in the premises upon acceptance of their bid by the Master Commissioner at the Master Commissioner's bid.

The purchaser shall attempt to be sold free and clear of any and all rights and interest of all parties to this sale. Bidders should examine the records of the Russell Circuit Clerk and the Russell County Clerk prior to the sale for further information. Any statements made for the day of the sale shall take precedence over advertised material. Bidder shall be prepared to comply promptly with these terms.

IN THE EVENT THAT THE PURCHASER IS NOT PAYING THE FULL AMOUNT OF THE PURCHASE PRICE OF THE PROPERTY ON THE DATE OF SALE, ANOTHER PERSON MUST BE PRESENT ON THE PURCHASER'S BEHALF TO SIGN AS BURETY FOR THE REMAINDER OF THE PURCHASE PRICE.

HON. M. GAIL WILSON  
Master Commissioner, Russell Circuit Court