COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

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PUBLIC SERVICE

COMMISSION

In the Matter of:

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> THE APPLICATION OF KENTUCKY-AMERICAN WATER COMPANY FOR A CERTIFICATE OF **CONVENIENCE AND NECESSITY AUTHORIZING)** THE BID ON A FRANCHISE ESTABLISHED BY THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

CASE NO. 2015-00407

NOTICE OF FILING OF LEGAL ADVERTISEMENT

As indicated in Kentucky-American Water Company's December 9, 2015 Application in this matter, KAW hereby gives notice of its filing of the attached legal advertisement. In the December 14, 2015 edition of the Lexington Herald-Leader, the Lexington-Fayette Urban County Government placed the attached legal advertisement for the solicitation of bids for a water franchise. For the reasons set forth in KAW's Application and pursuant to KRS 278.020(4), KAW requests a Commission Order in this matter no later than December 18, 2015 allowing KAW to submit its bid in response to the attached legal advertisement.

Date: December 14, 2015

Respectfully submitted,

STOLL KEENON OGDEN PLLC 300 West Vine Street, Suite 2100 Lexington, KY 40507-1801 Telephone: (859) 231-3000 Fax: (859) 253-1093 Email: <u>L.Ingram@skofirm.com</u> <u>Monica.Braun@skofirm.com</u>

By:

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Lindsey W. Ingram III Monica H. Braun

LEGAL NOTICE Invitation to Bid #192-2015 The Lexington-Fayette Urban County Government offers at bid a non-exclusive water franchise. The bids will be received December 28, 2015 at 2:00 pm EST submitted pursuant to the ordinance language & conducted at: Div. of Central Purchasing 200 E. Main St., Rm. 338 Lexington, KY 40507. Ord. No. 144-2015 - An Ordinance creating and establishing for bid a non-exclusive water franchise and privilege to construct, erect, lay, relay, replace, operate and maintain a waterworks system within the public rights-of-way for an initial period of five years with up to two renewal periods of five years each; in return for payment to the Urban County Government of the sum of at least three percent (3%) of each franchisee"s gross annual revenues received from the services provided within Fayette County, with the ability to be raised to five percent (5%); and further providing for compliance with relevant laws, regulations and standards; a performance bond; indemnification; insurance; access to property and inspections; reporting; audits; notice of filings with the Public Service Commission; cancellation or termination; penalties for violations; and bid requirements; all effective on date of passage. Passed December 9, 2015 /s/ Jim Gray, Mayor Attested: /s/ Martha Allen, Clerk of the Urban County Council Published December 14, 2015-1t Publish Dates: 12/14/2015-12/20/2015