



PPL companies

February 19, 2016

Executive Director  
Public Service Commission of Kentucky  
211 Sower Boulevard  
Frankfort, Kentucky 40602

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FEB 22 2016

PUBLIC SERVICE  
COMMISSION

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

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Senior Corporate Attorney  
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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 California**

Dear Executive Director:

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 California (the "City") pursuant to KRS 278.020(4). In a public meeting held on January 19, 2016, the City Council of California, Kentucky passed Ordinance No. 0-6-15, 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 March 14, 2016.

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 blue ink that reads "Allyson K. Sturgeon".

Allyson K. Sturgeon

Enclosures

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FEB 22 2016

PUBLIC SERVICE  
COMMISSION

**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. \_\_\_\_\_  
FRANCHISE ESTABLISHED BY THE CITY OF )  
CALIFORNIA, 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 California, 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 14(2)(a).

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 March 14, 2016.

Dated at Louisville, Kentucky, this 19<sup>th</sup> day of February, 2016.



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

**Exhibit A**

COMMONWEALTH OF KENTUCKY  
CITY OF CALIFORNIA

ORDINANCE NO.0-6-15

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 CALIFORNIA, KENTUCKY; FOR FURNISHING AND SELLING ELECTRICITY BY MEANS OF SAID FACILITIES; AND PROVIDING FOR THE SALE OF SAID FRANCHISE.

WHEREAS, the City of California ("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 on April 17, 1996, under which that utility provided such service, will expire by its terms; April 17, 2016

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 shall 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 California City Commission on the 15th day of December, 2015; a second reading was held on the 19th day of January, 2016; said Ordinance was READ and APPROVED on the 19th day of January, 2016.

  
\_\_\_\_\_, Mayor  
Emma Neises

ATTESTED BY:

  
\_\_\_\_\_, City Clerk  
Jason Cobb

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ADVERTISEMENT TO BID

Date: February 11, 2016

PROJECT: Burdsoil Avenue 8-inch Water Main Replacement, Campbell & Kenton County Water Main & Storage Tank Improvements, (Phase 5 of WX21037006), SAI#KY20140703-0258, DWSRF Loan F15-011 Ft. Mitchell, Kenton County, Kentucky.

SEALED BIDS WILL BE RECEIVED AT:

Northern Kentucky Water District  
2845 Crescent Springs Road  
P.O. Box 18740  
Erlanger, Kentucky 41018

UNTIL: Date: February 18, 2016  
Time: 1:00 PM (Local Time)

At said place and time, and promptly thereafter, all Bids that have been duly received will be publicly opened and read aloud.

The proposed Work is generally described as follows: Construction of approximately 4,325 linear feet of 8" C-900 PVC pipe together with the appurtenances and related work along Burdsoil Avenue from Dixie Highway to Allentown drive in the City of Ft. Mitchell, Kenton County, Kentucky.

All Bids must be in accordance with the Instructions to Bidders and Contract Documents on file, and available for examination at:

All Bidders must comply with Title VI of the Civil Rights Act of 1964, the Anti-Kickback Act, and the Contract Work Hours Standard Act.

All Bidders, Contractors and Subcontractors must comply with 41 CFR 60-4, in regard to Affirmative Action, to ensure equal opportunity to females and minorities and will apply the timetables and goals set forth in 41 CFR 60-4 as applicable.

The Successful Bidder and all Subcontractors will be required to conform to the labor standards set forth in the Contract Documents. This project falls under the provisions of KRS 337.505 to 337.550 for prevailing wage rates.

Evaluation of Bids and the awarding of a final contract are subject to the reciprocal preference for Kentucky resident bidders pursuant to KRS 45A-490 to 45A-494 and (KAR 2005:400)

Owner reserves the right to reject any or all Bids, including without limitation the right to reject any or all nonconforming, non-responsive, incomplete, unbalanced, or conditional Bids, to waive informalities, and to reject the Bid of any Bidder if Owner believes that it would not be in the best interest of Owner to make an award to that Bidder. Owner also reserves the right to negotiate with the apparent Successful Bidder to such an extent as may be determined by Owner.

Small and Disadvantaged Business Enterprises are encouraged to bid and bidders must make positive efforts to use small, minority, woman owned and disadvantaged business

Bids shall remain subject to acceptance for 90 days after the day of bid opening or for such longer period of time to

NOTICE

Fort Thomas Board of Adjustment Public Hearing

The Board of Adjustment of the City of Fort Thomas, Kentucky, will hold a Public Hearing at the City Building, 130 North Fort Thomas Avenue, Fort Thomas, Kentucky, on February 23, 2016 at 6:00 P.M. for the following cases:

**CASE NO. 15-1401** - A hearing to consider an application filed by Dustin Harrison, owner of property located at 28 Highview Dr. The owner is requesting a Side Yard Variance to allow the construction of a deck. Any adjoining property owner who is unable to attend this hearing is encouraged to submit signed, written comments to the Board concerning the proposed project. Said written correspondence shall be received no later than the time of public hearing, one thereupon shall be a matter of public record. All correspondence shall be directed to City of Fort Thomas, General Services, Department LLC, dba The Colonel's Creamery, Col. Don Lambert, Applicant, Fort Thomas Enterprises, Inc., Henry Pease, Owner. The City of Fort Thomas will make every reasonable accommodation to assist qualified disabled persons in obtaining access to available services or in attending City activities. If there is a need for the City to be aware of a specific disability, you are encouraged to contact the City of Ft. Thomas General Services Department at (859) 572-1210 so that suitable arrangements can be considered prior to the delivery of the service or the date of the meeting.  
**City of Fort Thomas General Services Department (Publishing Date: 2/11/2016) 1036697**

Wooden Cask Brewing Com...

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NOTICE TO CUSTOMERS OF KENTUCKY UTILITIES COMPANY RECOVERY BY ENVIRONMENTAL SURCHARGE OF KENTUCKY UTILITIES COMPANY'S 2016 ENVIRONMENTAL COMPLIANCE PLAN

**PLEASE TAKE NOTICE** that Kentucky Utilities Company ("KU") filed with the Kentucky Public Service Commission ("Commission") on January 29, 2016 in Case No. 2016-00026, an Application pursuant to Kentucky Revised Statute 278.183 for approval of an amended compliance plan ("KU's 2016 Environmental Compliance Plan") for the purpose of recovering the capital costs associated with new pollution control facilities through an increase in the environmental surcharge on customers' bills beginning August 31, 2016 under KU's existing Electric Rate Schedule ETR, also known as the environmental cost recovery surcharge. The total capital cost of the projects in KU's 2016 Environmental Compliance Plan is estimated to be \$678 million.

Federal, state, and local environmental regulations require KU to build and upgrade equipment and facilities that produce energy from coal to operate in an environmentally sound manner. Specifically, KU is seeking Commission approval of Certificates of Public Convenience and Necessity for the construction of Phase II of the landfill at the E.W. Brown Generation Station ("Brown"), and to close coal-combustion-residual ("CCR") ponds and construct new process-water facilities at Brown, the Ghent Generating Station ("Ghent"), and the Trimble County Generating Station. Each construction project is component of KU's 2016 Environmental Compliance Plan.

KU is also seeking an order declaring that CCR pond closures at the Green River Generating Station, Pineville Generating Station, and Tyrone Generating Station are ordinary extensions of existing systems of the usual course of business.

Lastly, KU is seeking an order approving an amended compliance plan for purposes of recovering the costs of new pollution control facilities through its Environmental Surcharge tariff. These projects are required for KU to comply with the federal Clean Air Act as amended, the U.S. Environmental Protection Agency's new rule for the Disposal of CCR from Electric Utilities, the Maximum Air Toxics Standards, and other environmental requirements of the Commission's orders located at 211 Sower Boulevard, Frankfort, Kentucky, after January 29, 2016.

PUBLIC HEARING NOTICE

WILDER PLANNING AND ZONING COMMISSION

The Wilder Planning and Zoning Commission will meet and conduct a public hearing on Monday, February 22, 2016 at 7:00 P.M. at the Wilder City Building, 520 Licking Pike, Wilder, Ky. to consider the following applications:

1) Application by the Wilder Planning Commission to permit Offices as a permitted use in the 100 Highway Commercial Zone.

All interested parties are invited to give testimony regarding the above referenced application, which may be reviewed at the office of the Wilder Zoning Administrator, 520 Licking Pike, Wilder, Ky. Any questions regarding the above application should be directed to the Zoning Administrator at 502-894-

NOTICE OF SALE OF FRANCHISE

By virtue of an ordinance heretofore passed by the Commission of the City of California, Kentucky, directing the advertisement for bids and selling of a franchise to use certain streets, alleys, and public grounds of the City of California, Kentucky for the purpose of owning, operating, equipping and maintaining a system for the transmission and distribution of electric energy. The City Clerk of California, will on 02/15/2016, at or about 7:00 P.M., sell at public auction to the highest bidder at the City Hall of California, 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 California City Clerk, PO Box 25, California, Kentucky. The ordinance by title and summary is as follows: **ORDINANCE # 0-6-15 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.**

California City Clerk, Jason Clark  
Published 02/11/2016.

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