

March 29, 2017

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PUBLIC SERVICE COMMISSION

Dr. Talina Mathews
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

Allyson K. Sturgeon Senior Corporate Attorney T 502-627-2088 F 502-217-4995 allyson.sturgeon@lge-ku.com

Case No. 2017-00157

RE: Application of Louisville Gas and Electric Company for a Certificate of Public Convenience and Necessity Authorizing LG&E to Bid on a Franchise Established by the City of Hodgenville

Dear Dr. Mathews:

Enclosed please find an original and 10 copies of an Application for a Certificate of Public Convenience and Necessity ("CCN"), to enable Louisville Gas and Electric Company (the "Company") to apply for an electric franchise with the City of Hodgenville (the "City") pursuant to KRS 278.020(5). In a public meeting held on March 16, 2017, the City Council of Hodgenville, Kentucky passed Ordinance No. 2017-01, 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 April 14, 2017.

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,

Allyson K. Sturgeon

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Enclosures

BEFORE THE KENTUCKY PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF LOUISVILLE GAS AND ELECTRIC)
COMPANY FOR A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY AUTHORIZING) CASE NO. 2017-00157
LG&E TO BID ON A FRANCHISE ESTABLISHED)
BY THE CITY OF HODGENVILLE, KENTUCKY)

APPLICATION

The Applicant, Louisville Gas and Electric Company ("LG&E"), respectfully states as follows:

- The Post Office address of the principal office of Applicant is 220 West Main Street,
 Louisville, Kentucky 40202. LG&E is a Kentucky corporation authorized to do business in the
 Commonwealth of Kentucky.
- 2. LG&E 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 LG&E to pursue its bid on a new franchise for which the City of Hodgenville, Kentucky (the "City") has solicited bids pursuant to resolution or ordinance and advertisement, a copy of which is attached hereto as Exhibit A.
- A certified copy of LG&E'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 LG&E desires to obtain a franchise in accordance with the bidding protocol established by the City.
- Should LG&E be successful in acquiring said franchise, it will file copies thereof
 with the Commission.

WHEREFORE, Louisville Gas and Electric Company asks that the Commission enter an Order granting to LG&E a Certificate of Public Convenience and Necessity to bid for and acquire a franchise from the City on or before April 14, 2017.

Dated at Louisville, Kentucky, this 29th day of March, 2017.

Allyson K. Sturgeon

Senior Corporate Attorney

Louisville Gas and Electric Company

220 West Main Street

Louisville, Kentucky 40202

(502) 627-2088



COMMONWEALTH OF KENTUCKY CITY OF HODGENVILLE

ORDINANCE NO. 2017-01

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

WHEREAS, the City of Hodgenville ("City") wishes to ensure that natural gas 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 Louisville Gas and Electric Company on April 10, 1979, under which that utility provided such service, has expired by its terms; April 10, 1999.

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:

<u>Section 1</u>. 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.

<u>Section 2</u>. 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 on July 1, 2017, to allow the City

and the winning bidder to develop appropriate procedures for identifying and reviewing the

natural-gas 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 Hodgenville City Council on the 13th day of March, 2017; a second

reading was held on the 16th day of March, 2017; said Ordinance was READ and APPROVED

on the 16th day of March, 2017.

nny Devore

ATTESTED BY:

Donibuton

. City Clerk

Toni Burton

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For applications or additional advantation contact Tammy Bishop, Resident Manager 270-735-1242 Saddle Creak Agts. is an Equal Opportunity Provider.

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4340 Farkers Greve Road, Magnolls, KY 43787
Deed Rook 233, Page 711; PVA MAP # 0334-00-008.co
Rank of Stuffalo, Inc. et al. vs. Jody L. Dotson a/A/a Jody Dotson. et al.
CHI Action No. 18-Cl 03728

THOMAS P. CLAYCOMB MASTER COMMISSIONER LARUE CIRCUIT COURT P. C. BOX 288 Hodgesville, KY 42748 270-358-9820

COMMONWALTH OF ENTITICAT

CITY OF HORGENVILLA

AN ORDINANCE CREATING COMMANDS NO. 1817-7

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ALANCER \$18,2072, at the hour of 10.0% as, and upon the following terms and conditions
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County Research America on the defendant(s)

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271 George Lee Road, Magnolia, XY 42757 Deed Rook 188, Page 750 PVA MAP #: 083-00-00-011.00 Mofflirst Rais vs. Rominic Crimes, Jr. et al., Civil Action No. 18-CI-00103

ASSESSED NO. 18-CF-00103

48 Greensburg Keed, Hodgeoville, KY 42748
Deed Rook 219, Page 318 FVA MAP #: 021-04-00-000.00
Wright-Pert Credit Union, Inc. vs. Fay W. Humphrey, AKA Fay Wheeler, et al., CVI Action No. 18-CF-00114

THOMAS P. CLAYCOMB MASTER COMMISSIONER LARUE CIRCUIT COURT P. O. Box 288 Hodgeoville, KY 42748 270-358-9820