

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF KENERGY CORP. FOR A)	
CERTIFICATE OF PUBLIC CONVENIENCE AND)	CASE NO.
NECESSITY TO APPLY FOR FRANCHISES)	2018-00319
FROM THE CITIES OF LEWISPORT AND DIXON)	

ORDER

On September 24, 2018, Kenergy Corp. (Kenergy) filed its application with the Commission seeking a Certificate of Public Convenience and Necessity (CPCN) to authorize it to bid on separate franchises offered by the city of Lewisport, Kentucky, and the city of Dixon, Kentucky, for electric transmission and distribution service. Under the provisions of KRS 278.020(5), no utility may apply for a franchise from any governmental agency until it has obtained a CPCN from this Commission based on our finding that there is a need and demand for the service sought to be rendered.

In light of the city of Lewisport's ordinance creating a franchise for electric transmission and distribution service, and the city of Dixon's ordinance creating a franchise for electric transmission and distribution service, the Commission determines that there is evidence of a need and demand for electric transmission and distribution service in the above-mentioned cities. The Commission's authority in such matters is limited by statute to finding only whether there is a need and demand for the service sought to be rendered. Therefore, the Commission makes no finding or determination as to the qualifications of the bidder, the validity of any of the provisions of the franchise offered by said cities, or the manner in which any franchise fee is to be treated for rate purposes.

IT IS THEREFORE ORDERED that:

1. Kenergy is granted a CPCN that authorizes it to bid on franchises offered by the city of Lewisport, Kentucky, and Dixon, Kentucky for electric transmission and distribution service.

2. If Kenergy is not the successful bidder on either, or both of the franchises, Kenergy shall, within ten days of the award of the franchise at issue, file with the Commission a written notice stating that Kenergy was not the successful bidder.

3. If Kenergy is the successful bidder on either or both franchises, Kenergy shall file with the Commission, within ten days of the award of the franchise at issue, a copy of the executed franchise agreements and a statement disclosing the amount of the initial franchise fees.

4. If Kenergy is the successful bidder for either or both franchises, Kenergy shall, within ten days of an increase or decrease in the amount of the initial franchise fees set forth in the respective franchise agreements, file with the Commission documentation setting forth the revised fees.

5. Any documents filed pursuant to ordering paragraphs 2, 3, or 4 of this Order shall reference the number of this case and shall be electronically submitted via the Commission's electronic Tariff Filing System.

6. This Order shall not be construed as granting a CPCN to construct utility facilities in said cities.

7. This case is closed and removed from the Commission's docket

By the Commission

ENTERED
OCT 08 2018
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



Executive Director

Case No. 2018-00319

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