LAW OFFICE OF

## JOHN J. SCOTT, PSC

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July 16, 2009

TELEPHONE 270-765-2179 FAX 270-765-2180

Mr. Jeff R. Derouen
Executive Director
Public Service Commission of KY
P.O. Box 615

PUBLIC SERVICE

Frankfort, KY 40602-0615

2009-00276

Re: Application for Franchise

Dear Mr. Derouen:

Please find enclosed an original and 10 copies of an Application for a Certificate of Convenience and Necessity to apply for an electric franchise for the Cities of Radcliff, Vine Grove and Sonora, Kentucky which I would like to have filed on behalf of Nolin Rural Electric Cooperative Corporation.

Sincerely yours,

John Scott, Attorney for Nolin Rural Electric Cooperative Corporation

JJS/rrd

**Enclosures** 

### COMMONWEALTH OF KENTUCKY

# BEFORE THE PUBLIC SERVICE COMMISSION

#### In the Matter of:

RECEIVED

JUL 1 7 2009 PUBLIC SERVICE COMMISSION

APPLICATION OF NOLIN RURAL ELECTRIC COOPERATIVE CORPORATION, FOR A CERTIFICATE OF CONVENIENCE AND NECESSITY FOR AN ELECTRIC FRANCHISE 2009-00276 IN THE CITIES OF RADCLIFF, VINE GROVE AND SONORA, KENTUCKY

# APPLICATION

\* \* \* \* \* \* \*

Nolin Rural Electric Cooperative Corporation, hereinafter called the "APPLICANT", respectfully advises the Commission that:

- APPLICANT is engaged in the sale of electric power over its 2,938.63 miles of line at retail rates to its approximately 31,659 meters in Hardin, LaRue, Green, Taylor, Meade, Breckinridge, Grayson and Hart Counties, Kentucky. In the City of Vine Grove, the APPLICANT serves 179 meters. In the City of Radcliff, the APPLICANT serves 464 meters. In the City of Sonora, the APPLICANT serves 18 meters.
- The address of APPLICANT is 411 Ring Road, Elizabethtown, Kentucky 42701, and its Articles of Incorporation, as amended, are on file with the Commission in Case No. 93-324, styled "Application" for Authorization to Obtain Five Year Line of Credit".

- 3. This Application is, in essence, to bid on franchises pursuant to KRS 278.020(4).
- 4. The Cities of Radcliff, Vine Grove and Sonora are governmental agencies offering the franchises.
- 5. The type of franchises being offered are electric franchises.
- 6. In this instance, there is a definite need and demand for such services, since the services are already being provided to the particular municipalities in question. The APPLICANT has served consumer/members in this area since 1939. As to the Cities of Vine Grove and Radcliff, the reason for the application herein is that the APPLICANT has been serving portions of these municipalities pursuant to franchise agreements which have expired and these municipalities are preparing to accept bids for new franchises. As to the City of Sonora, there has never been a franchise agreement, but that City is preparing to accept bids for such a franchise.
- 7. The Board of Directors of the APPLICANT has authorized the filing of this Application by a Resolution adopted June 11, 2009, a copy of which is attached as APPLICANT Exhibit "A".

WHEREFORE, the APPLICANT now moves the Public Service Commission of the Commonwealth of Kentucky to grant the said certificates of convenience and necessity for an electric franchise in those areas of the Cities of Radcliff, Vine Grove and Sonora, Kentucky, within the territory of the APPLICANT, which the APPLICANT has herein requested and which the Commission has discretion to do pursuant to KRS 278.020(4), upon determination that there is a need and demand for the service.

WITNESS the hand of the duly authorized President of the APPLICANT this 15<sup>th</sup> day of July, 2009.

> NOLIN RURAL ELECTRIC COOPERATIVE CORPORATION

MICHAEL L. MILLER,

President

BY:

ATTORNEY FOR APPLICANT

JOHN J. SCOTT, P.S.C.

108/E./PØPLAR STR., P.O. BOX 389

ELIZABETHTOWN, KY. 42702-0389

(270) 765-2179

STATE OF KENTUCKY **COUNTY OF HARDIN** 

I, the undersigned, a Notary Public, do hereby certify that on this /5" day of July, 2009, personally appeared before me MICHAEL L. MILLER, who being by me first duly sworn, subscribed to and acknowledged that he is the President of Nolin Rural Electric Cooperative Corporation, a Kentucky corporation, that he signed the foregoing document as President of the corporation, and that the statements therein contained are true.

NOTARY PUBLIC State of Kentucky

At Large 9.11.09

My commission expires