



PPL companies

September 19, 2019

Ms. Gwen Pinson  
Executive Director  
Public Service Commission of Kentucky  
211 Sower Boulevard  
Frankfort, Kentucky 40602

**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 Harlan**

Dear Ms. Pinson:

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 Harlan (the "City") pursuant to KRS 278.020(5). In a public meeting held on September 9, 2019, the City Council of Harlan, Kentucky passed Ordinance No. 701, 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 October 14, 2019.

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

RECEIVED

SEP 20 2019

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)

Allyson K. Sturgeon  
Managing Senior Counsel -  
Regulatory & Transactions  
T 502-627-2088  
F 502-217-4995  
[allyson.sturgeon@lge-ku.com](mailto:allyson.sturgeon@lge-ku.com)

RECEIVED

SEP 20 2019

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. 2019- 00353  
FRANCHISE ESTABLISHED BY THE CITY OF )  
HARLAN, 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(5) 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 Harlan, 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 October 14, 2019.

Dated at Louisville, Kentucky, this 19 day of September, 2019.



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

## **Exhibit A**

**[See Attached]**



**COMMONWEALTH OF KENTUCKY  
CITY OF HARLAN**

**ORDINANCE NO. 701**

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

**WHEREAS**, the City of Harlan ("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 Company on March 28, 2010, under which that utility provided such service, will expire by its terms; March 28, 2020.

**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 become effective with the first billing cycle on or after the expiration of the existing franchise agreement, 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.

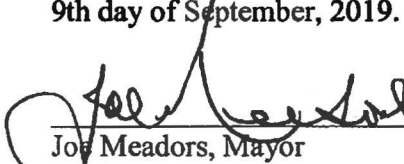
Section 5. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

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 Harlan City Council on the 12th day of August, 2019; a second reading was held on the 9th day of September, 2019; said Ordinance was READ and APPROVED on the 9th day of September, 2019.

  
Joe Meadors, Mayor

ATTESTED BY:

  
Carla Jones, City Clerk

## Public Notices

## Public Notices

NOTICE OF  
BOND RELEASE  
PURSUANT TO  
APPLICATION NUMBER  
848-8057

In accordance with KRS-350, notice is hereby given that E & J Corporation, Inc, PO Box 487, Grays Knob, KY 40829, intends to apply for Phase II bond release on permit number 848-8057 Increment 1. The application covers an area of approximately 5.5 acres. The area is located 0.67 miles east of Cawood in Harlan County.

The permit area is approximately 0.02 miles west from County Road 1140's junction with U.S. 421 and located in 0.00 miles from Long Branch. The latitude is 36°48'51" N. The longitude is 83°13'13" W.

The total surety bond currently in effect for Increment 1 is \$9,300.00 of which 20% is to be included in this application for Phase II release.

Reclamation was completed in July 2017.

Written comments, objections, and request for a public hearing or informal conference must be filed with the cabinet at; Director of the Division of Field Services, 300 Sower Blvd, Frankfort, Kentucky, 40601, by October 14, 2019.

This is the final advertisement of the application. A public hearing on the application has been scheduled for October 15, 2019

## Public Notices

**DONNA JOANN PRESTON,**  
Defendants.

## COMMISSIONER'S SALE

By virtue of a JUDGMENT AND ORDER OF SALE of the Harlan Circuit Court, rendered on August 8, 2019, in the above cause for the principle sum of \$242,198.38 (two hundred forty two thousand one hundred ninety eight dollars and thirty eight cents), plus applicable interest from April 1, 2019, until paid in full, plus attorney's fees, court and other costs expended, and expenses of sale, I shall proceed to offer for sale at the front door of the old Courthouse in Harlan, Kentucky, to the highest and best bidder at Public Auction on Tuesday, September 24, 2019, at the hour of 1:00 p.m. or thereabouts, upon the terms of cash on the date of sale or 10% down and the remainder on a credit of 30 days, and I will take from the purchaser a bond, with good and sufficient surety, for the purchase price, payable to myself, with interest at the rate of 12% per annum from date of sale, said bond to have the force and effect of a judgment, and I shall retain a lien upon the property so sold for further security on the payment of the purchase price, and any purchaser may pay off his bond at any time before maturity, with interest accrued up to the date of payment, on the real estate located in Harlan County, Kentucky, which is more particularly described as follows:  
Property Address: 129 Walnut Street, Evans, KY 40828  
Tax ID No.: 134-30-05-002.00  
In as much as the Court has

## Public Notices

**LEWIS DOUGLAS LAMB**  
HARLAN COUTY, KENTUCKY  
DEFENDANTS.

## COMMISSIONER'S SALE

By virtue of a JUDGMENT AND ORDER OF SALE of the Harlan Circuit Court, rendered on August 8, 2019, in the above cause for the principle sum of \$69,939.32 (sixty nine thousand nine hundred thirty nine dollars and thirty two cents), plus applicable interest from August 17, 2017, until paid in full, plus attorney's fees, court and other costs expended, and expenses of sale, I shall proceed to offer for sale at the front door of the old Courthouse in Harlan, Kentucky, to the highest and best bidder at Public Auction on Tuesday, September 24, 2019, at the hour of 1:00 p.m. or thereabouts, upon the terms of cash on the date of sale or 10% down and the remainder on a credit of 30 days, and I will take from the purchaser a bond, with good and sufficient surety, for the purchase price, payable to myself, with interest at the rate of 12% per annum from date of sale, said bond to have the force and effect of a judgment, and I shall retain a lien upon the property so sold for further security on the payment of the purchase price, and any purchaser may pay off his bond at any time before maturity, with interest accrued up to the date of payment, on the real estate located in Harlan County, Kentucky, which is more particularly described as follows:  
Property Address: 312 Rail Lane, Evans, KY a/k/a 312 Bathhouse Rd., Knawdr. KY

## Public Notices

NOTICE OF SALE  
OF FRANCHISE

By virtue of an ordinance heretofore passed by the City Council of Harlan, Kentucky, directing the advertisement for bids and selling of a franchise to use certain streets, alleys, and public grounds of the City of Harlan, Kentucky for the purpose of owning, operating, equipping and maintaining a system for the transmission and distribution of electric energy. The City Clerk of Harlan will on October 14, at or about 7:00 pm, sell at public auction to the highest bidder at the Harlan Center, 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 Harlan City Clerk, 124 S Cumberland Avenue, Harlan, Kentucky. The ordinance by title and summary is as follows: ORDINANCE # 701. 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.

Carla Jones,  
Harlan City Clerk  
Published  
September 14, 2019

## Rentals

## Apartments

1 & 2 Bed Apartments Available in Middlesboro Area.  
Call Sharlene at  
606-489-2234

Happy Hollow Apartments  
Ready for immediate occupancy!  
2 & 3 Bedroom Apartments.  
Pickup applications at our office.  
606/248-5196

CLASSIFIEDS  
WORK  
FOR YOU!

Cumberland Manor Apartments  
Cumberland, KY  
Spacious 1, 2 & 3 Bedroom  
Now Available  
Rent Based on Income  
Fully Equipped Kitchens  
Central Heat & Air  
606/589-2014



POPLAR VILLAGE  
APARTMENTS

## Apartments

PRIDE TERRACE  
APARTMENTS  
in Cumberland is accepting  
applications  
for 1-4 BR apartments.  
Call (606) 589-4862  
(leave voicemail)

Office &  
Commercial Rental

Office Space For Rent

2 Spaces Available  
\$350.00 Per Space  
450 Square Per Space  
205 North 18th Street

Call 606-260-9733

**CASH IN**  
ON THE CLASSIFIEDS

For Rent  
Large Room ideal for Restaurant, across from Home Federal.  
West Central Street, downtown Harlan. \$450.00 Monthly.  
Call  
606-273-7182