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November 1, 2019

Gwen R. Pinson  
Executive Director  
Kentucky Public Service Commission  
211 Sower Blvd.  
PO Box 615  
Frankfort, Kentucky 40602

OVERNIGHT DELIVERY

RE: City of Cadiz, Kentucky

Dear Ms. Pinson:

I enclose herewith an original, plus eleven (11) copies, of an Application of Atmos Energy Corporation for a Certificate of Public Convenience and Necessity Authorizing it to Bid on Franchise for the City of Cadiz, Kentucky, which includes a Request For Expedited Review, for filing in your office.

The City has established 10:00 a.m., November 7, 2019, as the deadline for submitting bids. We are hopeful that the Commission can accommodate our request for expedited approval of our Application.

Very truly yours,



Mark R. Hutchinson

Enclosures

c: Mark Martin

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PUBLIC SERVICE  
COMMISSION

BEFORE THE

**PUBLIC SERVICE COMMISSION OF KENTUCKY**

IN THE MATTER OF:

APPLICATION OF ATMOS ENERGY  
CORPORATION, OWENSBORO  
KENTUCKY FOR A CERTIFICATE OF PUBLIC  
CONVENIENCE AND NECESSITY  
AUTHORIZING IT TO BID ON A FRANCHISE  
FOR THE CITY OF CADIZ,  
KENTUCKY

CASE  
NO. 2019-00400

**APPLICATION AND**  
**REQUEST FOR EXPEDITED REVIEW**

1

Applicant, Atmos Energy Corporation, a corporation duly qualified under the laws of the Commonwealth of Kentucky to carry on its business in the Commonwealth.

The Company is an operating public utility engaged in the business of supplying natural gas to the public in numerous cities, towns, and communities in Western and South Central Kentucky.

2

Atmos' Articles of Incorporation, together with all amendments thereto, have already been filed with the Commission in Case No. 2017-00349. There have been no changes to the Articles of Incorporation since they were filed with the

1

Commission in Docket No. 2017-00349.

3

The City of Cadiz (sometimes hereinafter called the "City") is a municipal corporation situated in Trigg County, Kentucky and is in an area presently served by Applicant. Applicant has been the owner of a franchise operation of the natural gas system within the City immediately prior to the sale of a new franchise. Applicant is at the present time serving the City and owns and maintains a gas distribution system in such City.

4

The City Commission of the City published a Bid Notice for Natural Gas Franchise in The Citizen Record on October 23, October 30th and is scheduled to publish it again on November 6<sup>th</sup>. The Notice directs that bids for the sale thereof must be received by the City or before 10:00 a.m., on November 7, 2019. A copy of the published Bid Notice is attached hereto and filed herewith.

Applicant recognizes that the published deadline for bids of 10:00 a.m., on November 7, 2019, provides limited notice to the Commission. Unlike the Applicant's normal franchise process, the City of Cadiz did not enact any type of ordinance authorizing the franchise, it being the City's position that no Ordinance is required. This change in protocol resulted in discussion with the City concerning the need for an enabling Ordinance, which, in term, resulted in the limited time for review being provided to the Commission. The Applicant therefore respectfully requests that the

2

Commission provide expedited review of its Application so it can submit its bid by the published bid deadline.

There is a demand and need for continued natural gas service for the City.

WHEREFORE, Applicant respectfully requests the Commission to enter a certificate of public convenience and necessity authorizing Applicant to bid on the aforesaid natural gas franchise and, if it is awarded such franchise, to operate the natural gas distribution system pursuant to such franchise. A copy of the franchise, if awarded to Applicant, will be filed with the Commission.

Respectfully submitted,



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Mark R. Hutchinson  
611 Frederica Street  
Owensboro, Kentucky 42301  
Attorney for Applicant

COMMONWEALTH OF KENTUCKY )  
COUNTY OF DAVIESS )

The undersigned Affiant, Mark A. Martin, being first duly sworn, deposes and says that he is Vice President Rates and Regulatory Affairs of Atmos Energy Corporation, Kentucky/Mid-States Division, which is the Applicant in this proceeding; that he has read the foregoing application and knows the contents thereof; that the same is true of his own knowledge, except as to the matters which are therein stated on information or belief, and that as to those matters he believes them to be true; and that he is duly authorized to sign, execute, verify and file the foregoing application on behalf of Applicant.



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Mark A. Martin

SUBSCRIBED AND SWORN to before me by Mark A. Martin as Vice President Rates and Regulatory Affairs of Atmos Energy Corporation, Kentucky/Mid-States Division, on this the 1 day of November, 2019.

  
\_\_\_\_\_  
Notary Public  
Notary ID: 618823  
My Commission Expires: 3-12-23

**BID NOTICE FOR NATURAL A  
NATURAL GAS FRANCHISE**

NOTICE IS HEREBY GIVEN that the City of Cadiz, Kentucky will receive sealed bids for a natural gas franchise. Bid packets may be dropped off at City Hall, 63 Main Street, Cadiz, Kentucky, Monday through Friday from 8:00 AM to 4:00 PM. Bids must be submitted by Thursday November 7, 2019 at 10am. Bid opening will be Friday November 8, 2019 at 9am.

**City of Cadiz reserves the right to reject any and all bids.**

**Brian Ahart, City Clerk  
City of Cadiz  
PO Box 1465  
63 Main Street  
Cadiz, KY 42211  
270-522-8244**