

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF DUKE ENERGY KENTUCKY, INC. )	
FOR A CERTIFICATE OF PUBLIC CONVENIENCE )	CASE NO.
AND NECESSITY TO BID ON A FRANCHISE TO )	2020-00024
SERVE THE CITY OF ELSMERE, KENTUCKY )	

ORDER

On January 31, 2020, Duke Energy Kentucky, Inc. (Duke Kentucky) filed its application with the Commission seeking a Certificate of Public Convenience and Necessity (CPCN) to authorize it to bid on a franchise offered by the city of Elsmere, Kentucky, for electric and natural gas 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 Elsmere's ordinance creating a franchise for electric and natural gas transmission and distribution service, the Commission determines that there is evidence of a need and demand for electric and natural gas transmission and distribution service in the above-mentioned city. Since 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, no finding or determination is made as to the qualifications of the bidder, the validity of any of the provisions of the franchises offered by said city, or the manner in which any franchise fees are to be treated for rate purposes.

IT IS THEREFORE ORDERED that:

1. Duke Kentucky is granted a CPCN that authorizes it to bid on a franchise offered by the city of Elsmere, Kentucky, for electric and natural gas transmission and distribution service.

2. If Duke Kentucky is not the successful bidder, Duke Kentucky shall, within ten days of the award of the franchise at issue, file with the Commission a written notice stating that Duke Kentucky was not the successful bidder.

3. If Duke Kentucky is the successful bidder, Duke Kentucky shall, within ten days of the award of the franchise at issue, file with the Commission a copy of the executed franchise agreement and a statement disclosing the amount of the initial franchise fee.

4. If Duke Kentucky is the successful bidder, Duke Kentucky shall, within ten days of an increase or decrease in the amount of the initial franchise fee set forth in the franchise agreement, file with the Commission documentation setting forth the revised fee.

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 city.

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

By the Commission

ENTERED  
FEB 04 2020  
KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST:



Executive Director

Case No. 2020-00024

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