

COMMONWEALTH OF KENTUCKY
BEFORE THE ENERGY REGULATORY COMMISSION

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In the Matter of

APPLICATION OF WESTERN KENTUCKY)
GAS COMPANY, OWENSBORO, KENTUCKY)
FOR A CERTIFICATE AUTHORIZING IT TO)
BID ON FRANCHISE ESTABLISHED AND TO) CASE NO. 7916
BE OFFERED FOR SALE BY THE CITY OF)
EDDYVILLE, LYON COUNTY, KENTUCKY)

O R D E R

On the 16th day of July, 1980, Western Kentucky Gas Company filed with the Commission its application seeking a certificate of convenience and necessity to qualify it to bid on a gas franchise from the City of Eddyville, Lyon County, Kentucky. Under the provisions of KRS 278.020(3), no utility may apply for a franchise from any governmental agency until it has obtained a certificate of convenience and necessity from this Commission based on our finding that there is a need and demand for the service sought to be rendered.

Upon examination of the materials filed by the Applicant, and with reference to Applicant's annual reports which are required to be on file with this Commission, the Commission FINDS That Western Kentucky Gas Company has been providing gas service to Western and South Central Kentucky since 1934, and that it is presently serving approximately 132,489 customers in these areas.

The Commission FURTHER FINDS That there is a need and demand for gas service in the Eddyville area. 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 validity of any of the provisions of the franchise offered by the City of Eddyville or the manner in which any franchise fee is to be treated for rate purposes.

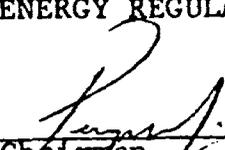
IT IS THEREFORE ORDERED That Western Kentucky Gas Company be and it hereby is granted a certificate of convenience and necessity which authorizes it to bid on a gas franchise in the Eddyville, Kentucky area.

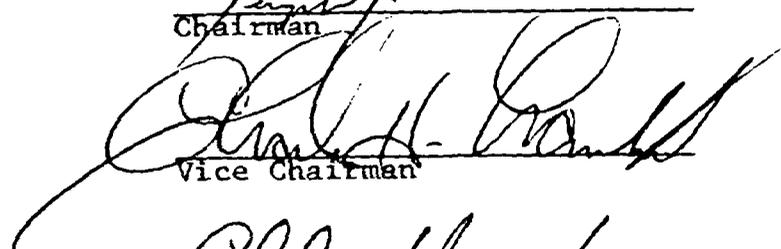
IT IS FURTHER ORDERED That Western Kentucky Gas Company, if it becomes the successful bidder, file with this Commission a copy of the said franchise.

IT IF FURTHER ORDERED That this Order shall not be construed as granting a certificate of convenience and necessity to construct utility facilities in said Eddyville, Kentucky.

Done at Frankfort, Kentucky, this 22nd day of July, 1980.

ENERGY REGULATORY COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:

Secretary