

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF ATMOS ENERGY)	
CORPORATION, OWENSBORO, KENTUCKY)	
FOR A CERTIFICATE OF PUBLIC)	CASE NO.
CONVENIENCE AND NECESSITY)	2013-00180
AUTHORIZING IT TO BID ON A FRANCHISE)	
ESTABLISHED BY THE CITY OF)	
MADISONVILLE, KENTUCKY)	

ORDER

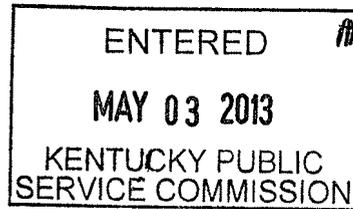
On May 3, 2013, Atmos Energy Corporation (“Atmos Energy”) filed its application with the Commission seeking a Certificate of Public Convenience and Necessity to qualify it to bid on a franchise for natural gas offered by the city of Madisonville, Kentucky. Under the provisions of KRS 278.020(4), no utility may apply for a franchise from any governmental agency until it has obtained a Certificate of Public Convenience and Necessity 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 Madisonville’s ordinance creating a natural gas distribution franchise, the Commission determines that there is evidence of a need and demand for natural gas 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 fee is to be treated for rate purposes.

IT IS THEREFORE ORDERED that:

1. Atmos Energy is granted a Certificate of Public Convenience and Necessity that authorizes it to bid on a franchise for natural gas offered by the city of Madisonville, Kentucky.
2. If Atmos Energy is not the successful bidder, Atmos Energy shall, within ten days of the award of the franchise at issue, file with the Commission a written notice stating that Atmos Energy was not the successful bidder.
3. If Atmos Energy is the successful bidder, Atmos Energy shall, within ten days of the award of the franchise at issue, file with the Commission a copy of the executed franchise agreement.
4. Any documents filed pursuant to ordering paragraphs 2 or 3 of this Order shall reference the number of this case and shall be electronically submitted via the Commission's electronic Tariff Filing System.
5. This Order shall not be construed as granting a Certificate of Public Convenience and Necessity to construct utility facilities in said city.

By the Commission



ATTEST

Executive Director

Mark R Hutchinson
Wilson, Hutchinson & Poteat
611 Frederica Street
Owensboro, KENTUCKY 42301