

## **AGREEMENT TO AMEND TERRITORIAL SERVICE AREA BOUNDARY**

**WHEREAS**, Louisville Gas & Electric/Kentucky Utilities Company and Clark Energy Cooperative, Inc., both provide electrical service to the expansion portion of the Woodland Industrial Park c/o Mt. Sterling – Montgomery County Industrial Authority, formerly the western portion of the Longwood Farm, in Mt. Sterling, Montgomery County, Kentucky; and

**WHEREAS**, the current territorial service area boundary approved by the Kentucky Public Service Commission (PSC) creates a potential problem in that the various lots which have been created by the developer are serviced by both energy suppliers under the current territorial boundaries; and

**WHEREAS**, the parties wish to prevent any duplication of power line facilities, equipment, and appurtenances and wish to provide economical electric service to their customers;

**NOW, THEREFORE**, in consideration of amending the existing territorial service area boundary line approved by the PSC, the receipt and sufficiency of such consideration is hereby acknowledged, the parties hereby agree as follows:

1. The parties currently share a territorial service area boundary line approved by the PSC and both provide electrical service to the expansion portion of the Woodland Industrial Park c/o Mt. Sterling –Montgomery County Industrial Authority, formerly the western portion of the Longwood Farm, in Mt. Sterling, Montgomery County, Kentucky.
2. The current territorial service area boundary line approved by the PSC creates a potential problem in that the various lots which have been created by the developer are serviced by both energy suppliers under the current territorial boundaries and the parties propose an amended territorial boundary line.
3. The amended territorial boundary line that has been agreed to by the parties is illustrated by the accompanying maps and more particularly described as follows:

This being a description of the proposed new service boundary line between Clark Energy Cooperative and Louisville Gas and Electric / Kentucky Utilities in Montgomery County Kentucky, said line running through the Woodland Industrial Park just north of I-64 near the city of Mt Sterling, Kentucky.


Beginning at a point where the existing service boundary line crosses the north edge of right-of-way of I-64 approximately 5177 feet west of Exit 113, said point having Kentucky State Plane North (NAD 83 Datum as will be all coordinates described hereon) Coordinates Northing = 213801.50 and Easting = 1736566.80, Thence with the existing service boundary line N24°04'06"E 1221.38 feet to the point where the existing service boundary line enters the Woodland Industrial Park, said point having Coordinates Northing = 214916.69 and Easting = 1737064.91 said point also being the **Point of Beginning for the new Service Boundary Line**; Thence with the south edge of Lot "C" and the south edge of the Industrial Park as shown on plat

by J.D. Williams PLS # 316, (drawing number 91-4-S) S84°56'37"E 1153.03 feet to the southeast corner of Lot "C", said point having Coordinates Northing = 214815.07 and Easting = 1738213.45; Thence along the eastern line of Lot "C" and the western line Lot "D" N01°43'43"E 859.26 feet to the Northeast corner of Lot "C" and the Southeast corner of Lot "B", said point having Coordinates Northing = 215673.94 and Easting = 1738239.37; Thence with the division line between Lot "C" and Lot "B" N85°41'33"W 1260.79 feet to the Northwest corner of Lot "C" and the Southwest corner of Lot "B", a point having Coordinates Northing = 215768.63 and Easting = 1736982.15; Thence with the west line of Lot "B" and the line of Robert Ovington N04°38'19"E 837.56 feet to a point having Coordinates Northing = 216603.45 and Easting = 1737049.88 being the Northwest corner of Lot "B"; Thence with the north line of Lot "B" and the north edge of the Industrial Park and the line of Robert Ovington S85°41'33"E 903.74 feet to the Northeastern most corner of Lot "B" and a corner of Lot "A" said point having Coordinates Northing = 216535.57 and Easting = 1737951.06; Thence with the west line of Lot "A" and the line of Ovington N17°56'35"E 1186.14 feet to the Northwest corner of Lot "A" said point having Coordinates Northing = 217664.02 and Easting = 1738316.48; Thence leaving Lot "A" and with the line of Ovington N86°41'34"W 19.55 feet to the end of the proposed changes where the proposed New Service Boundary Line junctions with the existing Service Boundary line, said point having Coordinates Northing = 217665.15 and Easting = 1738296.96.

4. The amended territorial boundary area shall prevent any duplication of power line facilities, equipment, and appurtenances.
5. This agreement does not affect any other territorial service areas of the respective companies.
6. This agreement shall go into full force and effect upon order of the PSC approving this agreement.

**CLARK ENERGY COOPERATIVE, INC.**

By: 

Its: 

**LOUISVILLE GAS & ELECTRIC/  
KENTUCKY UTILITIES COMPANY**

By: 

Its: Manager of Operations