

**BEFORE THE  
KENTUCKY PUBLIC SERVICE COMMISSION**

**In the Matter of:**

**ELECTRONIC APPLICATION OF KENTUCKY )  
UTILITIES COMPANY FOR A CERTIFICATE OF PUBLIC )  
CONVENIENCE AND NECESSITY AUTHORIZING KU ) CASE NO. 2023-00085  
TO BID ON A FRANCHISE ESTABLISHED BY THE CITY )  
OF WHITE PLAINS, KENTUCKY )**

**APPLICATION**

The Applicant, Kentucky Utilities Company (“KU”), respectfully states as follows:

1. The full name and mailing address of KU is Kentucky Utilities Company, One Quality Street, Lexington, Kentucky 40507. KU may be reached by electronic mail at the electronic mail addresses of its counsel set forth below.

2. KU is a utility engaged in the electric business. KU generates and purchases electricity, and distributes and sells electricity at retail in the following counties in Central, Northern, Southeastern, and Western Kentucky:

Adair	Edmonson	Jessamine	Ohio
Anderson	Estill	Knox	Oldham
Ballard	Fayette	Larue	Owen
Barren	Fleming	Laurel	Pendleton
Bath	Franklin	Lee	Pulaski
Bell	Fulton	Lincoln	Robertson
Bourbon	Gallatin	Livingston	Rockcastle
Boyle	Garrard	Lyon	Rowan
Bracken	Grant	Madison	Russell
Bullitt	Grayson	Marion	Scott
Caldwell	Green	Mason	Shelby
Campbell	Hardin	McCracken	Spencer
Carlisle	Harlan	McCreary	Taylor

Carroll	Harrison	McLean	Trimble
Casey	Hart	Mercer	Union
Christian	Eubank	Montgomery	Washington
Clark	Henry	Muhlenberg	Webster
Clay	Hickman	Nelson	Whitley
Crittenden	Hopkins	Nicholas	Woodford
Daviess			

3. This filing is made in accordance with Section 278.020(4) of the Kentucky Revised Statutes.

4. KU was incorporated in Kentucky on August 17, 1912, and in Virginia on November 26, 1991 (and effective as of December 1, 1991), and is in good corporate standing in both states. A copy of the Certificate is attached as Exhibit B.

5. Pursuant to 807 KAR 5:001 Section 8, on March 6, 2023, KU filed with the Commission notice of its intent to use electronic filing procedures in this proceeding. Copies of all orders, pleadings, and other communications related to this proceeding should be directed to:

Sara V. Judd  
 Senior Counsel  
 PPL Services Corporation  
 220 West Main Street  
 Louisville, Kentucky 40202  
 sara.judd@lge-ku.com

Rick E. Lovekamp  
 Manager – Regulatory Strategy/Policy  
 LG&E and KU Services Company  
 220 West Main Street  
 Louisville, Kentucky 40202  
 rick.lovekamp@lge-ku.com

6. Receipt of the requested certificate will allow KU to pursue its bid on a new franchise for which the City of White Plains, Kentucky (the “City”) has solicited bids pursuant to resolution or ordinance and advertisement, a copy of which is attached hereto as Exhibit A.

7. There is and will continue to be a demand and need for electric service in the areas of the City subject to the franchise, and KU desires to obtain a franchise in accordance with the bidding protocol established by the City.

8. Should KU be successful in acquiring said franchise, it will file copies thereof with the Commission.

WHEREFORE, Kentucky Utilities Company asks that the Commission enter an Order granting to KU a Certificate of Public Convenience and Necessity to bid for and acquire a franchise from the City on or before April 11, 2023.

Dated at Louisville, Kentucky, this 10<sup>th</sup> day of March 2023.



Sara V. Judd  
Senior Counsel  
PPL Services Corporation  
220 West Main Street  
Louisville, Kentucky 40202  
(502) 627-4850  
svjudd@pplweb.com

## **Exhibit A**

**COMMONWEALTH OF KENTUCKY  
CITY OF WHITE PLAINS**

**ORDINANCE NO. 2023-1-1**

**AN ORDINANCE CREATING A FRANCHISE FOR THE ERECTION, LAYING AND MAINTENANCE OF ELECTRIC FACILITIES AND APPURTENANT FACILITIES AND EQUIPMENT IN, ALONG AND ACROSS THE PUBLIC WAYS, ROADS, STREETS, ALLEYS AND OTHER PUBLIC PLACES IN THE CITY OF WHITE PLAINS, KENTUCKY: FOR FURNISHING AND SELLING ELECTRICITY BY MEANS OF SAID FACILITIES; AND PROVIDING FOR THE SALE OF SAID FRANCHISE.**

**WHEREAS**, the City of White Plains (“City”) wishes to ensure that electric service continues to be furnished to its citizens in a reliable and efficient manner;

**WHEREAS**, the City is aware that the provision of such service requires the continued use of public streets, ways, alleys and other public places;

**WHEREAS**, the franchise granted to and acquired by Kentucky Utilities Company on June 2, 2003, under which that utility provided such service, will expire by its terms; June 2, 2023.

**WHEREAS**, the City wishes to provide for the sale of a new franchise for the benefit of its citizenry, giving effect to Section 96.010 of the Kentucky Revised Statutes;

**NOW, THEREFORE, BE IT ORDAINED** as follows:

Section 1. An exclusive franchise (“Franchise”) to use the City’s public rights-of-way, as described in the Franchise Agreement attached to this Ordinance, is hereby created.

Section 2. The Franchise created by this Ordinance shall be bid in accordance with the applicable requirements of the Constitution of the Commonwealth of Kentucky and Chapter 424 of the Kentucky Revised Statutes, as well as any applicable City ordinances.

Section 3. The Franchise created by this Ordinance shall be awarded to the highest and best bidder as shall be determined by the City in its sole discretion. In awarding the Franchise, the City shall consider the technical, managerial, and financial qualifications of the bidder to perform its obligations under the Franchise.

Section 4. The winning bidder and the City shall negotiate, execute and be bound by a Franchise Agreement with terms identical to, or substantially identical to, the Franchise Agreement referenced in Section 1 above and attached hereto, such Agreement to contain terms “that are fair and reasonable to the City, to the purchaser of the Franchise and to the patrons of the utility” (KRS Section 96.010). Such Franchise Agreement shall become effective with the first billing cycle on or after the expiration of the existing franchise agreement, to allow the City and the winning bidder to develop appropriate procedures for identifying and reviewing the electric-consuming entities within the City’s corporate limits.

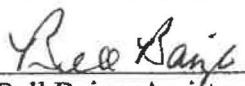
Section 5. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section 6. Should any section, clause, line, paragraph, or part of this Ordinance or the attached Agreement be held unconstitutional or invalid for any reason, the same shall not affect the remainder of this Ordinance or the attached Agreement, as applicable.

Section 7. Time is of the essence in carrying out the terms and the provisions of this Ordinance and the Franchise created herein.

Section 8. This Ordinance shall become effective from and after its passage and publication. Read at a meeting of the White Plains City Commissioners on the 10th day of January 2023; a second reading was held on the 14th day of February 2023; said Ordinance was READ and APPROVED on the 14th day of February 2023.

  
\_\_\_\_\_  
Josh Slaton, Mayor

ATTESTED BY:  
  
\_\_\_\_\_  
Bell Baize, Assistant City Clerk



Matt Hughes

During a panel portion of the State of the Cities and County, guests heard from representatives of three cities from Hopkins County. On the panel were, from left, Dawson Springs mayor Jenny Sewell, Earlington City Clerk Martha Hamby who was filling in for mayor Albert Jackson, and Mortons Gap Mayor Chris Phelps.

## SOTC

FROM PAGE A1

Judge Executive Jack Whitfield, likewise, spent the majority of his time in front of the crowd discussing the tornado and the events that followed. He praised local volunteers and workers who stepped up in the hours and days following the tornado, and those that are still helping with the ongoing recovery efforts throughout the county.

"The Long Term Recovery Group is led by Heath Duncan and Mike Duncan, but there is a whole team of people working on that, and I cannot begin to name them all," he said. "They are doing a great job. We are seeing progress."

Whitfield said that Habitat for Humanity is building houses in Hopkins County at a rate faster than has ever been seen. He said the Fuller Group, the Brethren and the Mennonites are all helping to rebuild new houses and structures.

"We've got houses going up," he said. "It's not as fast as we would like. We would like to see everybody back in a house right now. But we are making progress."

Whitfield said that he is currently working with developers and industry to bring new opportunities to Dawson Springs, including a new apartment complex. He added there was also a new apartment complex coming to Madisonville.

Madisonville Mayor Kevin Cotton changed directions with his



Matt Hughes

Hopkins County Judge-Executive Jack Whitfield discussed the ongoing tornado recovery efforts in Hopkins County.

address, choosing instead to focus on positive things going on in the city right now, as well as the city's vision for the future.

"We are known internationally," Cotton said. "The city of Madisonville reaches out all over the world, and you don't even know it."

He mentioned Clark Webstaurant, IMS, Ahlstrom and Berry Global as some of the industries located in Madisonville that have big impacts on the global marketplace.

"Last year alone (Clark Webstaurant) shipped out almost two million orders," Cotton said. "That's not pieces, that's orders. As a restaurant in Madisonville, we (at Brothers Barbeque) even order from them. Its great being able to order from somebody right here who is providing resources for our community."

He said that IMS produced over 8.4 million appliance parts that were shipped around

the globe in 2022.

"How many of you love Wendy's Frosties?" Cotton asked. "Did you know that in Madisonville, Kentucky, Berry Global produced almost 700 million cups last year that were shipped all over the world to every Wendy's in the world?"

He added that Ahlstrom, which is currently in the middle of a major expansion, produced over 37.4 million pounds of paper products last year.

"Its unbelievable what we have in our community and we don't even know it," Cotton said. "We don't think about it. We just drive by."

He worked his way through a brochure on "WIGS"—Wildly Important Goals. These include growth and development for the quality of life, engaging and connecting the community, inspiring and developing employees, and public safety.

# Biden willing to sign effort to block new DC crime laws

BY COLLEEN LONG, MARY CLARE JALONICK AND SEUNG MIN KIM ASSOCIATED PRESS

WASHINGTON — President Joe Biden said Thursday he is willing to sign a Republican-sponsored resolution blocking new District of Columbia laws that would overhaul how the nation's capital prosecutes and punishes crime.

In doing so, the president would be allowing Congress to nullify the city's laws for the first time in more than three decades. Biden's willingness to do so, despite earlier opposition from his White House, is linked

to growing concern over rising crime both in the nation's capital and across the U.S. and comes amid relentless criticism from Republicans.

"One thing the president believes in is making sure that the streets in America and communities across the country are safe," said White House press secretary Karine Jean-Pierre. "That includes D.C."

The district lacks the same rights that states have to make and amend laws. While Congress has allowed the city's residents some powers of "home rule," it has

retained veto powers over district government actions. District residents also do not have voting members of Congress.

City officials have spent nearly two decades trying to redo Washington's criminal laws, including redefining crimes, changing criminal justice policies and reworking how sentences should be handed down after convictions. The overhaul was approved late last year by the D.C. Council. It overrode a veto by Mayor Muriel Bowser, who had concerns over some of the changes.

## HANSON

FROM PAGE A1

Epley also brought to the commission the idea to change out one old lawn mower every year so everything doesn't break down all at once.

He said they had three bids, and all of them were within \$100-200 of each other. He thought the best purchase would be the John Deer lawn mower with Michelin wheels for \$12,129.81. The commission approved the purchase.

"We will try this out, and next year, we will bid them out again for the next one," said Epley.

The commission also approved the start of Phase 1 of water line replacement with the bidding out of water line installations for 260 and Compton Road.

Pearson said this is for the upgrades to the water lines through the Clean Water Construction grant

from money provided by the American Rescue Plan of 2021.

The commission approved to start and bids for the project will go out soon.

Jesse Breedlove, chief of the Hanson Volunteer Fire Department, asked the commission to work with the department to create burn permits or some way everyone in the city can notify the department when they are burning. Burn season is going on right now through April 30.

"Yesterday, we had 10 fire departments out in the county working fires," he said.

He clarified that burn season means people can't burn within 150 feet of the wood line until 6 p.m. and it has to be extinguished by 6 a.m.

"Any time you burn, we just ask that you call dispatch that way they know it is a controlled burn, so if somebody does see smoke, they don't call

911," said Breedlove.

In other news, the commission:

- the mayor told the commission that they were ready to advertise bids for a truck the commission surplus a few meetings ago.
- approved to install a 24-inch drain tile on Adams Street for \$940 where the road becomes flooded every time there is hard rain.
- approved the installation of sewer taps at the industrial park, for the fire department, at Mill Stone Way, and the end of Hanson Road.
- agreed to join the Pennyrile Regional Hazard Mitigation Plan through the Pennyrile Area Development District which would include Hanson in any disaster plan PADD comes up with.

The next meeting of the Hanson City Commission will be at 6 p.m. on Tuesday, March 28 at Hanson City Hall.

## YMCA

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- Installation of new stainless steel gutter system
- Replace all gutter lines to meet code
- Re-route main drain out of pool
- Terminate existing pump well for above ground in-line pump system
- Construct code-sized surge capacity
- Replace diving board and swim team starting blocks

The rebuild is anticipated to take 3-4 months from start to finish. If you or someone you know is interested in helping raise funds for the YMCA please reach out to Angela Carter directly.

We are very excited to be kicking off such a pool renovation in 2023. This pool is home to both of our local high school swim teams, Blue Wave swim team,

and provides year-round family recreation, physical fitness, water safety training, and swim lessons for our community. We know that this renovation is necessary and will continue to serve the Y for many years to come.

**SERVICES**

J&V's Core Buying & Automotive Recycling  
355 W 4th St.  
Sacramento, Ky  
Weekdays 8-4, Saturdays 8-12. Buying junk cars, scrap metal, and all non-hazardous items.  
270-231-6819; 270-593-7090

## HOBGOOD

FROM PAGE A1

transport service. "We wanted to honor Terry because he meant so much to so many," said Payne. "We have also been taking up donations to plant a tree in his memory at Mahr Park for his family and friends to enjoy."

Tremaine Hobgood, Terry's son, said he is very appreciative of the hospital for recognizing his father and honoring him.

"I am very proud of my dad," he said. "He was a very caring person, and he showed that when he was there."

Payne said Terry was always making the staff laugh from him practically burning his "raw" bacon in the microwave to get it "done" to the times he and his daughter would play pranks on each other.

"Terry was an inspiration to myself and others because of his



Submitted photos

Terry Hobgood passed away on Tuesday, Feb. 21 at Baptist Health Deaconess Madisonville, where he worked for 43 years before retiring last October.

impeccable work ethic," she said. "He kept on pushing patients even at times when it was difficult personally."

She said Terry was a loyal member of the transport team, and he loved what he did at work and those he got



Cymantha De Los Santos, a transport team member for Baptist Health Deaconess Madisonville was the first recipient of the new Terry Hobgood Award, formerly the employee of the month award.

to spend time with. "He was a light to all of us," said Payne. "We want to offer our condolences to Terry's family. We hope they know how much we adored him and appreciated all he did here to take care of his community."

## LEGAL

### NOTICE OF SALE OF FRANCHISE

By virtue of an ordinance heretofore passed by the City Commission of White Plains, Kentucky, directing the advertisement for bids and selling of a franchise to use certain streets, alleys, and public grounds of the City of White Plains, Kentucky for the purpose of owning, operating, equipping and maintaining a system for the transmission and distribution of electric energy, The City Clerk of White Plains will on April 11, 2023, at or about 7:00 p.m., sell at public auction to the highest bidder at the City Hall of White Plains, a franchise for the purpose set out. Said franchise is more particularly described and fully defined in a proposed ordinance granting and creating the same and said proposed ordinance defines the terms and conditions upon which said sale shall be made, the full text of which is available for inspection in the office of the White Plains City Clerk, 106 N.E. Railroad Street, White Plains, Kentucky. The ordinance by title and summary is as follows: ORDINANCE # 2023-1-1. AN ORDINANCE ESTABLISHING A FRANCHISE AGREEMENT RELATED TO THE TRANSMISSION AND DISTRIBUTION OF ELECTRICAL ENERGY, AND THE PROVISION OF RETAIL ELECTRIC SERVICE IN AREAS HERETOFORE SERVED BY KENTUCKY UTILITIES COMPANY.

Ben Baize, White Plains Assistant City Clerk  
Published 3/3/23

**Exhibit B**

**[See Attached]**



**Commonwealth of Kentucky**  
**Michael G. Adams, Secretary of State**

Michael G. Adams  
Secretary of State  
P. O. Box 718  
Frankfort, KY 40602-0718  
(502) 584-3490  
<http://www.sos.ky.gov>

**Certificate of Existence**

Authentication number: 225108

Visit <https://app.sos.ky.gov/show/certificate.aspx> to authenticate this certificate.

I, Michael G. Adams, Secretary of State of the Commonwealth of Kentucky, do hereby certify that according to the records in the Office of the Secretary of State,

**KENTUCKY UTILITIES COMPANY**

is a corporation duly incorporated and existing under KRS Chapter 14A and KRS Chapter 271B, whose date of incorporation is August 17, 1912 and whose period of duration is perpetual.

I further certify that all fees and penalties owed to the Secretary of State have been paid; that Articles of Dissolution have not been filed; and that the most recent annual report required by KRS 14A.6-010 has been delivered to the Secretary of State.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal at Frankfort, Kentucky, this 7<sup>th</sup> day of January, 2020, in the 228<sup>th</sup> year of the Commonwealth.



*Michael G. Adams*

Michael G. Adams  
Secretary of State  
Commonwealth of Kentucky  
225108/0028494