

**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. 2023-00151
TO BID ON A FRANCHISE ESTABLISHED BY THE CITY)
OF LYNCH, 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 May 2, 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

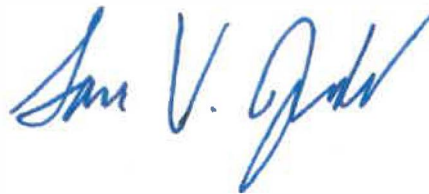
6. Receipt of the requested certificate will allow KU to pursue its bid on a new franchise for which the City of Lynch, Kentucky (the “City”) has solicited bids pursuant to resolution or ordinance and advertisement, a copy of which is attached hereto as Exhibit A.

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 June 13, 2023.

Dated at Louisville, Kentucky, this 8th day of May 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 LYNCH

ORDINANCE NO. 021423

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 LYNCH, KENTUCKY; FOR FURNISHING AND SELLING ELECTRICITY BY MEANS OF SAID FACILITIES; AND PROVIDING FOR THE SALE OF SAID FRANCHISE.

WHEREAS, the City of Lynch ("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 August 5, 2003, under which that utility provided such service, will expire by its terms; August 5, 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.

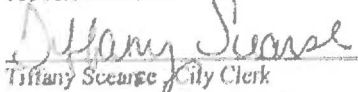
Section 6. Should any section, clause, line, paragraph, or part of this Ordinance or the attached Agreement be held unconstitutional or invalid for any reason, the same shall not affect the remainder of this Ordinance or the attached Agreement, as applicable.

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 Lynch City Council on the 14th day of February, 2023; a second reading was held on the 24 day of March, 2023; said Ordinance was READ and APPROVED on the 24th day of March, 2023.


Justin Wien, Mayor

ATTESTED BY:


Tiffany Scorse, City Clerk

Lesbeyoung ✓
Rager without ✓
Tom woods ✓

Sissy Ruthar Ford ✓
Bernie massing ✓
Mark Hudack ✓

EDS • LEGALS • PUBLIC NOTICES • STATEWIDE CLASSIFIEDS

JUDGMENT IN REM AND ORDER OF SALE of the Harlan Circuit Court, rendered on March 27, 2023, in the above cause for the principal sum of \$66,457.51 (sixty six thousand four hundred fifty seven dollars and fifty one cents), as of November 30, 2022, thereon at the contract rate of 9.21% per annum, until paid in full, plus attorney's fees, court and other costs expended, and expenses of sale, I shall proceed to offer for sale at the front door of the old Courthouse in Harlan, Kentucky, to the highest and best bidder at Public Auction on Tuesday, May 2, 2023 at the hour of 1:00 p.m. or thereabouts, upon the terms of cash on the date of sale or 10% down and the remainder on a credit of 30 days, and I will take from the purchaser a bond, with good and sufficient surety, for the purchase price, payable to myself, with interest at the rate of 9.21% per annum from date of sale, said bond to have the force and effect of a judgment, and I shall retain a lien upon the property so sold for further security on the payment of the purchase price, and any purchaser may pay off his bond at any time before maturity, with interest accrued up to the date of payment, on the real estate located in Harlan County, Kentucky, which is more particularly described as follows:

PROPERTY ADDRESS:
196 OPOSSUM HOLLOW
ROAD, DAYHOIT, KY
MAP NO. 044-40-00-077-03

JUDGMENT IN REM AND ORDER OF SALE of the Harlan Circuit Court, rendered on April 28, 2022 and ORDER entered on April 4, 2023, in the above cause for the principal sum of \$83,940.46 (eighty three thousand nine hundred forty dollars and forty six cents), together with accrued interest at the contract rate of 9.25% per annum, until paid in full, plus attorney's fees, court and other costs expended, and expenses of sale, I shall proceed to offer for sale at the front door of the old Courthouse in Harlan, Kentucky, to the highest and best bidder at Public Auction on Tuesday, MAY 16, 2023 at the hour of 1:00 p.m. or thereabouts, upon the terms of cash on the date of sale or 10% down and the remainder on a credit of 30 days, and I will take from the purchaser a bond, with good and sufficient surety, for the purchase price, payable to myself, with interest at the rate of 9.25% per annum from date of sale, said bond to have the force and effect of a judgment, and I shall retain a lien upon the property so sold for further security on the payment of the purchase price, and any purchaser may pay off his bond at any time before maturity, with interest accrued up to the date of payment, on the real estate located in Harlan County, Kentucky, which is more particularly described as follows:

Property Address:
21785 Highway 38,
Cassaint KY 40927

NOTICE OF SALE OF FRANCHISE

By virtue of an ordinance heretofore passed by the City Council of Lynch, Kentucky, directing the advertisement for bids and selling of a franchise to use certain streets, alleys, and public grounds of the City of Lynch, Kentucky for the purpose of owning, operating, equipping, and maintaining a system for the transmission and distribution of electric energy. The City Clerk of Lynch will on June 13, 2023, at or about 5:00 p.m., sell at public auction to the highest bidder at the City Hall of Lynch, 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 Lynch City Clerk, 6 E. Main Street, Lynch, Kentucky. The ordinance by title and summary is as follows: **ORDINANCE # 02142023. 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.**

TCN 4/26/23 - 1 of 1

run. Paige Phillips 300-meter hurdles. Daniels was first in p Emilee Eldridge fourth in the 100-m Taytum Griffin was s Olivia Kelly a placed fourth and fi 200-meter dash, re Eldridge was sevent finished ninth. Malj ington was tenth. In the 400-me Brianna Howard fourth. Peyton Linsfor ond in the 800-meter

Bears E Harlan.

From Page .

one out and scored c two-out single to left. Jake Brewer was error to open the sec and eventually score ons' second run. The Harlan Cow had two more errors inning, leading to two as Jaedyn Gist and I ner each scored after a walk and error, n Jared Moore's fly b field turned into a s when Brayden Blak the ball running tow field. Harlan County first run in the third Henson recorded the hit following a walk Burton's ground out Carter to cut the lead

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) 564-3490
<http://www.sos.ky.gov>

Certificate of Existence

Authentication number: 225108
Visit <https://app.sos.ky.gov/Rehow/certvaldate.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 7th day of January, 2020, in the 228th year of the Commonwealth.



Michael G. Adams

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