### **COMMONWEALTH OF KENTUCKY**

### **BEFORE THE PUBLIC SERVICE COMMISSION OF KENTUCKY**

In the Matter of:

Electronic Application Of Kentucky Power Company)For A Certificate of Public Convenience And)Necessity Authorizing The Applicant To Apply For)And Obtain A Franchise From The City Of Greenup)In Greenup County, Kentucky)

Case No. 2023-00332

### APPLICATION

Kentucky Power Company ("Kentucky Power" or the "Company") applies to the Public Service Commission of Kentucky ("Commission") pursuant to KRS 278.020(4) and 807 KAR 5:001, Section 15(1) for an Order **to be issued on or before October 18, 2023** for a Certificate of Public Convenience and Necessity authorizing the Company to apply for and obtain a franchise to use the streets and rights-of-way of the City of Greenup, located in Greenup County, Kentucky, for the provision of retail electric service, and in support thereof states:

### APPLICANT

1. Kentucky Power was incorporated in 1919 under the laws of the Commonwealth

of Kentucky and is in good standing in the Commonwealth.<sup>1</sup> The Company's mailing address is

1645 Winchester Avenue, Ashland, Kentucky 41101. Its electronic mail address is

kentucky\_regulatory\_services@aep.com. Kentucky Power is engaged in the generation,

purchase, transmission, distribution and sale of electric power.

<sup>&</sup>lt;sup>1</sup> A certified copy of the Company's Articles of Incorporation and all amendments thereto was attached to the Joint Application in *In the Matter Of: The Joint Application Of Kentucky Power Company, American Electric Power Company, Inc. And Central And South West Corporation Regarding A Proposed Merger*, P.S.C. Case No. 99-149. The Company's October 2, 2023 Certificate of Existence is attached as <u>EXHIBIT 1</u>.

2. The Company serves approximately 163,000 retail customers in the following 20 counties of eastern Kentucky: Boyd, Breathitt, Carter, Clay, Elliott, Floyd, Johnson, Knott, Lawrence, Leslie, Letcher, Lewis, Magoffin, Martin, Morgan, Owsley, Perry, Pike, and Rowan. In addition, the Company also supplies electric power at wholesale to other utilities and municipalities in Kentucky for resale. Kentucky Power is a utility as defined by KRS 278.010.

#### PUBLIC CONVENIENCE AND NECESSITY

3. The Company currently is rendering, and for a number of years has been rendering, retail electric service in and to the City of Greenup in Greenup County, Kentucky.

4. The provision of retail electric service in and to the City of Greenup requires that Kentucky Power place its facilities on, under, above, and along the streets, alleys, public grounds, and rights of way, or otherwise make use of the streets, alleys, public grounds, and rights of way, of the City of Greenup.

5. The public convenience and necessity requires that Kentucky Power continue to provide retail electric service to and in the City of Greenup. The City of Greenup lies within the certified territory of Kentucky Power, as that term is defined in Chapter 278 of the Kentucky Revised Statutes, and such as Kentucky Power possesses the exclusive right to provide retail electric service in and to the City of Greenup. KRS 278.018(1).

6. Kentucky Power's existing franchise to place its facilities on, under, above, and along the streets, alleys, public grounds, and rights of way, or otherwise make use of the streets, alleys, public grounds, and rights of way, of the City of Greenup for the purpose of providing retail electric service expired August 12, 2023.

-2-

7. The Company desires to bid for a franchise to use the streets, alleys, public grounds, and rights of way of the City of Greenup for the provision of retail electric service to and in the City of Greenup. Kentucky Power respectfully requests the Commission issue its Order on or before October 18, 2023 granting the Company a certificate of public convenience and necessity so that it may bid for the required franchise on October 19, 2023.

8. A copy of the ordinance providing for the advertisement and sale of the City of Greenup franchise is attached hereto as **EXHIBIT 2**.

9. The advertisement to receive bids on the City of Greenup franchise was published in a newspaper of general circulation in Greenup County on September 28, 2023. A copy of the ordinance providing for the advertisement and sale of the City of Greenup franchise is attached hereto as **EXHIBIT 3**.

10. If successful in obtaining a franchise from the City of Greenup, Kentucky Power will file a copy of the franchise with the Commission using the Commission's electronic tariff filing system.

### **COMMUNICATIONS**

11. Kentucky Power respectfully requests that communications in this matter be delivered to:

Katie M. Glass Stites & Harbison PLLC kglass@stites.com

Hector Garcia Santana hgarcia1@aep.com

Kentucky Power Company Kentucky\_regulatory\_services@aep.com Kentucky Power and the persons indicated above possess the facilities to receive electronic transmissions. Kentucky Power waives service by United States mail.

WHEREFORE, Kentucky Power Company respectfully requests that the Public Service Commission of Kentucky issue an Order on or before October 18, 2023:

(a) Granting the Company a certificate of public convenience and necessity

authorizing Kentucky Power to bid upon and obtain a franchise from the City of Greenup,

Greenup County, Kentucky to use the streets, alleys, public grounds and rights of way to provide

retail electric service in the city; and

(b) Granting the Company all further relief to which it may appear entitled.

Respectfully submitted,

Katie M. Glass STITES & HARBISON PLLC 421 West Main Street P.O. Box 634 Frankfort, Kentucky 40602-0634 Telephone: (502) 223-3477 kglass@stites.com

COUNSEL FOR KENTUCKY POWER COMPANY <u>Exhibit 1</u>

## 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: 298127

Visit <u>https://web.sos.ky.gov/ftshow/certvalidate.aspx</u> 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 POWER COMPANY

is a corporation duly incorporated and existing under KRS Chapter 14A and KRS Chapter 271B, whose date of incorporation is July 21, 1919 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 2<sup>nd</sup> day of October, 2023, in the 232<sup>nd</sup> year of the Commonwealth.



Michael I. adam

Michael G. Adams Secretary of State Commonwealth of Kentucky 298127/0028317

<u>Exhibit 2</u>

#### ORDINANCE NO. 8, 2023

An Ordinance of the City Council of the City of Greenup, Kentucky, Providing for the Advertisement and Sale of a Franchise Authorizing the Owner Thereof to Own, Maintain, Construct and Operate Electric Power Transmission and Distribution Lines Upon, Along, Over and Under the Streets, Thoroughfares, Alleys, Sidewalks, Bridges, Public Ways and Other Public Places of the Said City.

WHEREAS, the City of Greenup, Greenup County, Kentucky is incorporated under the provisions of the Kentucky Revised Statutes, and desires to grant a franchise for an electric power company to own, maintain, construct and operate its electric power transmission and distribution lines upon, along, over and under the streets, thoroughfares, alleys, sidewalks, bridges, public ways and other public places of the City of Greenup, Greenup County, Kentucky, and

WHEREAS, there exists a public necessity for adequate service of electric power and energy to the citizens of the City of Greenup, Greenup County, Kentucky, and

WHEREAS, it appears that it is in the interest of the public that a franchise be advertised and sold, granting and entitling the grantee to use the streets, thoroughfares, alleys, sidewalks, bridges, public ways and public places for the erection, operation and maintenance of lines for the transmission and distribution of electric power to the citizens of the City of Greenup, Greenup County, Kentucky, and to persons, firms and corporations beyond the limits of the City of Greenup, Greenup County, Kentucky.

BE IT ORDAINED BY THE CITY OF Greenup, Greenup County, KENTUCKY, AS FOLLOWS:

#### SECTION 1

That there be sold at public auction to the highest and best bidder, the franchise, privilege, right and authority to acquire, maintain, construct and operate in, above, under, across and along the streets, thoroughfares, alleys, sidewalks, bridges, public ways and other public places (as the same now exist or may hereafter be laid out) of the City of Greenup, Greenup County, Kentucky, lines, poles and equipment for the distribution of electric energy, either by means of overhead or underground conductors, with all the necessary or desirable appurtenances, for the purpose of supplying electric energy to said City and the inhabitants thereof, and persons and corporations beyond the limits thereof, for light, heat, power and any other purpose or purposes for which electric energy is now or may hereafter be used, and for the transmission of the same within, through or across said City.

#### SECTION 2

Said lines and appurtenances shall be constructed so as to interfere as little as possible with the traveling public in its use of the streets, thoroughfares, alleys, sidewalks, bridges, public ways and other public places.

#### **SECTION 3**

The franchise, privilege, right and authority shall be in full force and effect for a period of ten (10) years from the date of passage of the Ordinance granting the franchise.

#### SECTION 4

The grantee of this franchise shall save the City harmless from any and all liability arising in any way from negligence in the erection, maintenance or operation of said lines and appurtenances.

#### SECTION 5

The grantee of this franchise shall have the right and privilege to take up such portion or part of any pavement and make such excavation in the streets, thoroughfares, alleys, sidewalks, bridges, public ways and other public places of the City of Greenup as may be deemed necessary for the construction and maintenance of its lines, wires or cables, but, whenever the grantee of this franchise shall begin the erection of any lines or other equipment, it shall promptly and diligently prosecute the work to completion, and leave the streets, thoroughfares, alleys, sidewalks, bridges, public ways and other public places where such work is done in as good condition of repair as before such work was commenced.

#### SECTION 6

Whenever in this franchise either the City of Greenup or the grantee thereof is referred to, it shall be deemed to include the respective successors and assigns, of either, and all rights, privileges and obligations contained in this franchise shall be binding upon, and inure to the benefit of, the respective successors and assigns, of the City and said grantee, whether so expressed or not.

#### SECTION 7

The grantee of this franchise may make such rules and regulations covering the furnishing of said electric energy as may be fair and reasonable and consistent with the standard practice of the grantee. Said grantee may charge such rates for electric service as shall be fair and reasonable. The said grantee shall render service under said franchise of like quality, that is, adequate, efficient and reasonable, to that now being rendered to said City.

#### SECTION 8

The consideration paid by the successful bidder for the franchise, privilege, right and authority provided for herein, shall be complete compensation and consideration for said franchise, privilege, right and authority, and for the use and occupancy of the streets, thoroughfares, alleys, sidewalks, bridges, public ways and other public places of the City, in lieu of any street or alley rental or of any charge for the use or occupancy of said streets, thoroughfares, alleys, sidewalks, bridges, public ways and other public places of said city, and in lieu of any pole tax or meter tax.

#### SECTION 9

The City Clerk for the City of Greenup, Greenup County, Kentucky, is hereby appointed Special Commissioner, to sell said franchise, privilege, right and authority hereby ordered sold subject to the approval of the City Council, and said Special Commissioner is directed to offer said franchise for public sale to the highest bidder on the <u>19</u> day of <u>Octobe</u>r 2023, at <u>12:00 pm</u> at the front door of the Greenup City Building, at 1005 Walnut Street, Greenup, Kentucky, after he or she has given due notice thereof by publication or advertisement as required by law.

#### SECTION 10

Bids and proposals for the purchase and acquisition of the franchise, privilege, right and authority hereby granted shall be in writing and shall be delivered to the Special Commissioner on the date and at the time fixed by the Special Commissioner in said advertising for receiving bids. Thereafter, the Special Commissioner shall report and submit to the City Council at the time and place of its next regular meeting said bids and proposals for its approval, and said City Council reserves the right for and on behalf of the City of Greenup to

reject any and all bids for said franchise, privilege, right and authority. In the event the bids reported by the Special Commissioner shall be rejected by the said City Council, it may direct, by resolution or ordinance, said franchise, privilege, right and authority to be again offered for sale from time to time until a satisfactory bid therefor shall be received and approved. Each bid shall be accompanied by a deposit and each bidder shall post bond in accordance with the provisions and requirements of KRS 96.020. However, such deposit and bond need not be made by a corporation or person already owning, in or adjacent to the City of Greenup, Greenup County, Kentucky, a plant and equipment sufficient to render the service required by this Ordinance.

#### SECTION 11

Each bidder for said franchise, privilege, right and authority shall file, as a part of its bid, a certified copy of a Certificate of Convenience and Necessity from the Public Service Commission of Kentucky, issued under the authority of KRS 278.020.

#### **SECTION 12**

The Ordinance granting this franchise shall be accepted by the grantee thereof within sixty (60) days from the date of its passage.

APPROVED, this 18 day of September, 2023.

Lundie Meadows, Mayor

ATTEST; Dixon, Clerk Lacey Dixon, Clerk

Introduction and First Reading: <u>September 12, 2023</u> Second Reading: <u>September 18, 2023</u> <u>Exhibit 3</u>

#### THE GREENUP GAZETTE

Public	notices
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### **FLATWOODS HOME**

1412 Napier Street, Flatwoods

Property includes an adjoining lot, 2-car ga-rage, single garage and a large RV-sized garage. For information, call (606) 923-5566.

Immediate possession

#### **ORDINANCE NO. 8-2023**

AN ORDINANCE OF THE CITY OF BELLEFONTE, KEN-TUCKY FIXING THE TAX RATE FOR THE CITY OF BELLEFONTE, KENTUCKY FOR THE TAX YEAR 2023 CONCERNING MOTOR VEHICLES AND WATERCRAFTS; ESTABLISHING SAID TAX RATE AT. 28 FOR EACH \$100.00 OF TAXABLE PROPERTY; AND OTHER MAT-TERS.

CERTIFICATION This is to certify that the above caption and Ordinance is titled as set forth above and has been reviewed by the un-dersigned, who is an attorney licensed to practice law in the Commonwealth of Kentucky.

Han W EVERATION MALLE COM

ADOPTED ON THE 21 day of September, 2023, by the City Council of the City of Bellefonte, Kentucky.

MANOR CHEER BELLEVINE KENDERY

ATTEST:

Jake & Conley

Published Sept. 28, 2023

#### **ORDINANCE NO. 5-2023**

AN ORDINANCE OF THE CITY OF BELLEFONTE, KENTUCKY FIXING THE TAX RATE FOR THE CITY OF BELLEFONTE, KENTUCKY FOR THE TAX YEAR 2023 ESTABLISH-ING SAID TAX RATE AT .368 FOR EACH \$100 00 OF TAXABLE PROPERTY; AND OTHER MATTERS.

CERTIFICATION This is to certify that the above caption and Ordinance is titled as set forth above and has been reviewed by the undersigned, who is an attorney licensed to practice law in the Commonwealth of Kentucky.

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THONIL KENTUCK

WWW MCGINNISLESLIE.COM

ADOPTED ON THE 21st day of September, 2023, by the City Council of the City of Bellefonte, Kentucky

ATTEST:

Glyer & Conley

Published Sept 28, 2023 ORDINANCE #4, 2023\_\_\_

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# AN ORDINANCE ADOPTING THE CITY OF BELLEFONTE, KENTUCKY AMENDED BUDGET FOR THE FISCAL YEAR JULY 1, 2023 THROUGH JUNE 30, 2024

WHEREAS, AN ANNUAL BUDGET PROPOSAL AND MESSAGE HAS BEEN PREPARED AND DELIVERED TO THE CITY COUNCIL; AND WHEREAS, THE CITY COUNCIL HAS REVIEWED SUCH BUDGET PROPOSAL AND MADE NECESSARY MODIFICATIONS, NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF BELLEFONTE, KENTUCKY; SECTION 1.

THAT THE AMENDED BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2023 AND ENDING JUNE 30, 2024 IS HEREBY ADOPTED AS FOLLOWS:

		GEN	FRAL	MUNICIPAL	
		FUND		RD AID FUND	
	ESOURCES AVAILABLE. BALANCE CARRIED FORWARD		\$424,644.65		\$0.00
	ESTIMATED REVENUES.	S	427.000.00	-	
	PROPERTY TAXES	S	137,585.66	\$	22,800.00
	INTERGOVERNMENTAL REVENUES	S	1,800.00		
	LICENSES AND PERMITS	\$	119,272.00		
	CHARGES FOR SERVICES	S	234,577.18	\$	40,000.00
	OTHER TOTAL ESTIMATED REVENUES	\$	920,234 84	\$	62,800.00
	TOTAL RESOURCES AVAILABLE	-			00.000.00
	FOR APPROPRIATION	\$	1,344,879.49	\$	62,800.00
	APPROPRIATIONS:	S	445.084.54	-	
	GENERAL GOVERNMENT	\$	563,355.66	-	
	POLICE	3	42,700.00	-	
	FIRE	5	70,600 00	+	
	STREETS & SIDEWALKS	\$	65.000.00	+	
	SANITATION	\$	03,000.00	+	
	ENTERPRISES	-		+-	
	PARKS & RECREATION	-		+	
	TOTAL APPROPRIATIONS	\$	1,186,740.20	-	
	EXCESS OF RESOURCES OVER/				co 000 00
	UNDER APPROPRIATIONS	S	158,139.29	5	62,800.00
	INTERFUND REVENUE	-		-	
	ESTIMATED FUND BALANCES END	-	450 400 0	10	62.800.00
	OF FISCAL YEAR	\$	158,139.2	1 2	02,000.00
	SECTION 2: THAT THIS ORDINANCE WILL TAKE PLACE 9/2	21.2023			
	ATTEST	Ster-			
	Aller & Conley	AYOR	רחרומיצוו		ALL REALD
	DATE OF FIRST READING: 28-AUG-23 DATE OF SECOND READING: 21-SEP-23 DATE OF PUBLICATION: 28-SEP-23				
L			12	12101	2

**ORDINANCE NO. 8-2023** 

AN ORDINANCE OF THE CITY OF WORTHINGTON, KENTUCKY, ESTABLISHING RULES FOR THE PARKING OF LARGE TRUCKS AND OTHER VEHICLES WITHIN THE CITY OF WORTHINGTON, KENTUCKY, ESTABLISHING DEFINITIONS, AND PROVIDING FOR ENFORCEMENT PROCEDURES, PENALTIES, AND FINES FOR ANY VIOLATIONS OF THE PROVISIONS OF THIS ORDINANCE.

WHEREAS, the City of Worthington, Kentucky, has the responsibility to provide for safe and accessible streets for the citizens of the City; and WHEREAS, as part of this responsibility, the City believes it necessary to add and/or modify its parking regulations; NOW BE IT ORDAINED by the City Council of the City of Worthington, Kentucky, as follows: SECTION 1: It shall be unlawful for any persons to park a truck, a truck-tractor, or any other vehicle whose manufac-steries gross weight exceeds 10,000 pounds in any residential section for longer than one hour, except when loading or turer's gross of said governments or public utilities, are exempted from this provision while they are providing public maintenances in a designated residential zone. SECTION II: Whoever violates this provision shall be fined not less than twenty dollars (\$20.00) nor more than one hundred defined the start of the provision shall be fined not less than twenty dollars (\$20.00) nor more than one hundred test.

SECTION II: Whoever violates this provision shall be fined not less than twenty dollars (\$20.00) nor more than one hundred dollars (\$100 00) for each day in which the vehicle is parked in such an unlawful manner. SECTION III: This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

ATTEST:

Ruby City Clerk

**To place** 

a classified or retail

ad,

call us at

606.

314.1135

FIRST READING: September 11, 2023 SECOND READING: September 18, 2023

**ORDINANCE NO. 8, 2023** 

Mayor Jason Flocker

Published September 28, 2023

An Ordinance of the City Council of the City of Greenup, Kentucky, Providing for the Advertisement and Sale of a Franchise Authorizing the Owner Thereof to Own, Maintain, Construct and Operate Electric Power Transmission and Distribution Lines Upon, Along, Over and Under the Streets, Thoroughfares, Alleys, Side-walks, Bridges, Public Ways and Other Public Places of the Said City.

WHEREAS, the City of Greenup, Greenup County, Kentucky is incorporated under the provisions of the Kentucky Revised Statutes, and desires to grant a franchise for an electric power company to own, maintain, construct and operate its electric power transmission and distribution lines upon, along, over and under the streets, thoroughfares, alleys, sidewalks, bridges, public ways and other public places of the City of Greenup, Greenup

sidewalks, bridges, public ways and other public places of the City of oterative County, Kentucky, and WHEREAS, there exists a public necessity for adequate service of electric power and energy to the citizens of the City of Greenup, Greenup County, Kentucky, and WHEREAS, it appears that it is in the interest of the public that a franchise be adver-tised and sold, granting and entitling the grantee to use the streets, thoroughfares, alleys, sidewalks, bridges, public ways and public places for the erection, operation and main-tenance of lines for the transmission and distribution of electric power to the citizens of the City of Greenup, Greenup County, Kentucky, and to persons, firms and corporations beyond the limits of the City of Greenup, Greenup County, Kentucky. BEIT ORDAINED BY THE CITY OF Greenup, Greenup County, KENTUCKY, AS FOL-LOWS:

LOWS: <u>SECTION 1</u> That there be sold at public auction to the highest and best bidder, the franchise, priv-ilege, right and authority to acquire, maintain, construct and operate in, above, under, across and along the streets, thoroughfares, alleys, sidewalks, bridges, public ways and other public places (as the same now exist or may hereafter be laid out) of the City of Greenup, Greenup County, Kentucky, lines, poles and equipment for the distribution of electric energy, either by means of overhead or underground conductors, with all the nec-essary or desirable appurtenances, for the purpose of supplying electric energy to said City and the inhabitants thereof, and persons and corporations beyond the limits thereof, for light, heat, power and any other purpose or purposes for which electric energy is now or may hereafter be used, and for the transmission of the same within, through or across said City. or may he said City.

said City. Said lines and appurtenances shall be constructed so as to interfere as little as pos-sible with the traveling public in its use of the streets, thoroughfares, alleys, sidewalks, bridges, public ways and other public places. SECTION 3 The franchise, privilege, right and authority shall be in full force and effect for a pe-riod of ten (10) years from the date of passage of the Ordinance granting the tranchise. SECTION 4 The grantee of this tranchise shall be the this than disc strong any and all hability and appurtenances.

and appurtenances. - .. 22-2-

and appurtenances. <u>SECTION 5</u> The grantee of this franchise shall have the right and privilege to take up such portion or part of any pavement and make such excavation in the streets, thoroughfares, alleys, sidewalks, bridges, public ways and other public places of the City of Greenup as may be deemed necessary for the construction and maintenance of its lines, wires or cables, but, whenever the grantee of this franchise shall begin the erection of any lines or other equipment, it shall promptly and diligently prosecute the work to completion, and leave the streets, thoroughfares, alleys, sidewalks, bridges, public ways and other public places where such work is done in as good condition of repair as before such work was com-menced.

SECTION 6 Whenever in this franchise either the City of Greenup or the grantee thereof is re-ferred to, it shall be deemed to include the respective successors and assigns, of either, and all rights, privileges and obligations contained in this franchise shall be binding upon, and inure to the benefit of, the respective successors and assigns, of the City and said grantee, whether so expressed or not. SECTION 7

SECTION 7 The grantee of this franchise may make such rules and regulations covering the fur-nishing of said electric energy as may be fair and reasonable and consistent with the standard practice of the grantee. Said grantee may charge such rates for electric service as shall be fair and reasonable. The said grantee shall render service under said franchise of like quality, that is, adequate, efficient and reasonable, to that now being rendered to said City.

SECTION 8 The consideration paid by the successful bidder for the franchise, privilege, right and authority provided for herein, shall be complete compensation and consideration for said franchise, privilege, right and authority, and for the use and occupancy of the streets, thoroughfares, alleys, sidewalks, bridges, public ways and other public places of the City, in lieu of any street or alley rental or of any charge for the use or occupancy of said streets, thoroughfares, alleys, sidewalks, bridges, public ways and other public places of said City, and in lieu of any pole tax or meter tax. SECTION 9

#### SECTION 9

SECTION 9 The City Clerk for the City of Greenup, Greenup County, Kentucky, is hereby appoint-ed Special Commissioner, to sell said franchise, privilege, right and authority hereby or-dered sold subject to the approval of the City Council, and said Special Commissioner is directed to offer said franchise for public sale to the highest bidder on the 19 day of Oc-tober, 2023, at 12: 00 p.m. at the front door of the Greenup City Building, at 1005 Walnut Street, Greenup, Kentucky, after he or she has given due notice thereof by publication or advertisement as required by law. SECTION 10 SECTION 10

advertisement as required by law. <u>SECTION 10</u> Bids and proposals for the purchase and acquisition of the franchise, privilege, right and authority hereby granted shall be in writing and shall be delivered to the Special Commissioner on the date and at the time fixed by the Special Commissioner in said ad-vertising for receiving bids. Thereafter, the Special Commissioner shall report and submit to the City Council at the time and place of its next regular meeting said bids and propos-als for its approval, and said City Council reserves the right for and on behalf of the City of Greenup to reject any and all bids for said franchise, privilege, right and authority. In the event the bids reported by the Special Commissioner shall be rejected by the said City Council, it may direct, by resolution or ordinance, said franchise, privilege, right and authority to be again offered for sale from time to time until a satisfactory bid therefor shall be received and approved. Each bid shall be accompanied by a deposit and each bid-der shall post bond in accordance with the provisions and requirements of KRS 96 020. Nowing, in or adjacent to the City of Greenup, Greenup County, Kentucky, a plant and SECTION 11 Each bidder for said franchise, privilege, right and authority shall file, as a part of its bid a certified conv of a Certificate of Convencent of the Section of the said submit to shall be accompanied by this Ordinance.

SECTION 11 Each bidder for said franchise, privilege, right and authority shall file, as a part of its bid, a certified copy of a Certificate of Convenience and Necessity from the Public Service Commission of Kentucky, issued under the authority of KRS 278.020. SECTION 12 The Ordinance granting this franchise shall be accepted by the grantee thereof within the fold days from the date of its passage.

APPROVED, this 18 day of September, 2023

ATTEST:

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Introduction and First Reading: September 12, 2023 Second Reading: September 18, 2023

Published Sept. 28, 2023

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