

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

ELECTRONIC APPLICATION OF ATMOS)
ENERGY CORPORATION FOR A CERTIFICATE) CASE NO.
OF PUBLIC CONVENIENCE AND NECESSITY) 2024-00113
TO BID ON A FRANCHISE TO SERVE THE CITY)
OF DIXON, KENTUCKY)

APPLICATION

Comes now, Atmos Energy Corporation (“Atmos Energy or “Company”) by counsel, pursuant to KRS 278.020(4), 807 KAR 5:001, Section 15(1), 807 KAR 5:001 Section 14 and other applicable law, and tenders hereby its application for a certificate of public convenience and necessity to apply for and obtain a franchise from the city of Dixon, in Webster County, Kentucky (“Dixon”), to provide natural gas transmission and distribution services, respectfully states as follows:

1. Atmos Energy is a Virginia and Texas corporation duly qualified under the laws of the Commonwealth of Kentucky to carry on its business in the Commonwealth. The Company is an operating public utility engaged in the business of supplying natural gas to the public in numerous cities, towns, and communities in Western and South-Central Kentucky.

2. Atmos Energy’s Articles of Incorporation, together with all amendments thereto, are on file with the Commission in Case No. 2021-00214. There have been no changes to the Articles of Incorporation since they were filed with the Commission in Case No. 2021-00214. Atmos Energy was incorporated in Texas on February 6, 1981 and Virginia on July 21, 1997. It is in good standing to operate in Kentucky and is in good standing to operate in all states of incorporation. Attached as Exhibit A is a Certification of Good Standing from the Kentucky

Secretary of State.

3. The Company's principal operating office and place of business in Kentucky is 3275 Highland Pointe Drive, Owensboro, Kentucky 42303. The post office address of Company is PO Box 650205, Dallas, Texas 26265-0205.

Correspondence and communications with respect to this Application should be directed to:

Mark A. Martin
Vice President, Public Affairs
Atmos Energy Corporation
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Owensboro, Kentucky 42303
Mark.Martin@atmosenergy.com

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Frankfort, KY 40601
502 227 7270
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4. Dixon is a municipal corporation situated in Webster County, Kentucky and is in an area presently served by the Company. The Company has been the owner of a franchise operation of the natural gas system within Dixon immediately prior to the sale of a new franchise. Atmos Energy currently serves Dixon by and through a natural gas distribution system owned by Atmos Energy.

5. The Dixon City Council has passed an Ordinance setting forth the terms

and requirements for a new natural gas franchise. A copy of the Ordinance is attached as Exhibit B. Dixon has directed that bids for the sale of a natural gas franchise be received on or before May 13, 2024. A copy of the Legal Notice that was published by Dixon in *The Journal Enterprise* regarding said new franchise is attached as Exhibit C.

6. As evidenced by the attached Ordinance, there is and will continue to be, a demand and need for continued natural gas service for Dixon.

WHEREFORE, Atmos Energy respectfully requests the Commission to enter a certificate of public convenience and necessity authorizing it to bid on the aforesaid natural gas franchise for Dixon and, if it is awarded such franchise, to operate the natural gas distribution system pursuant to such franchise. Upon obtaining a franchise from the City, the Company will file a true and correct copy of same with the Commission.

Respectfully submitted,

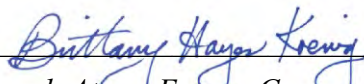


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Counsel for Atmos Energy Corporation

CERTIFICATE OF SERVICE

A true and accurate copy of the foregoing was filed electronically with the Commission on April 26, 2024 and there are no parties that have been excused from participating electronically. Pursuant to prior Commission orders, no paper copies of this filing will be made.



Counsel, Atmos Energy Corporation

EXHIBIT A

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 Authorization

Authentication number: 305963
Visit <https://web.sos.ky.gov/ftshow/certvalidate.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,

ATMOS ENERGY CORPORATION

, a corporation organized under the laws of the state of Texas, is authorized to transact business in the Commonwealth of Kentucky, and received the authority to transact business in Kentucky on December 14, 1987.

I further certify that all fees and penalties owed to the Secretary of State have been paid; that an application for certificate of withdrawal has 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 27th day of February, 2024, in the 232nd year of the Commonwealth.



Michael G. Adams

Michael G. Adams
Secretary of State
Commonwealth of Kentucky
305963/0237484

EXHIBIT B

ORDINANCE 2024-1

AN ORDINANCE OF THE CITY OF DIXON, KENTUCKY, PROVIDING FOR THE CREATION AND SALE OF A FRANCHISE FOR THE PRIVILEGE OF CONSTRUCTING, TRANSPORTING, OPERATING, MAINTAINING AND DISTRIBUTING NATURAL GAS ALONG AND UNDER PUBLIC RIGHT OF WAY WITHIN THE CITY OF DIXON, KENTUCKY, FOR A TERM OF TWENTY (20) YEARS IN CONSIDERATION FOR WHICH, THE SUCCESSFUL FRANCHISEE SHALL PAY TO THE CITY AN ANNUAL SUM EQUAL TO ONE PERCENT (1%) OF ITS REVENUES; AND FURTHER ESTABLISHING A BID PROCEDURE FOR THE AWARD OF SAID FRANCHISE TO THE SUCCESSFUL BIDDER.

WHEREAS, the existing natural gas franchise agreement between the City of Dixon, Kentucky and Atmos Energy Corporation expires on May 3, 2024; and,

WHEREAS, the City has determined that it is in the best interest of its citizens to create and offer for sale a new natural gas franchise.

BE IT ORDAINED BY THE CITY OF DIXON, KENTUCKY (hereinafter referred to as the "City") that the Mayor of the City, or such other person as the Mayor may designate, shall offer for sale, to the highest and best bidder, a non-exclusive franchise to enter upon, acquire, construct, operate, maintain and repair in the public right of way of the City, a gas distribution system within the corporate boundaries of the City, subject to the provisions of the Franchise Agreement attached hereto and incorporated herein by reference.

The Mayor, or such other person as the Mayor may designate, shall, as soon as practicable after passage of this Ordinance, offer for sale, under sealed public bids, the franchise and privileges created herein. Such bids shall be in writing and shall be delivered to the Mayor or his designee, at City Hall, Dixon, Kentucky, by 12 p.m. on May 13, 2024 (the "Bid Deadline"). Advertisements for such bids shall be published in accordance with the requirements of KRS Chapter 424. All costs for such advertisements shall be borne by the successful Franchisee.

Sealed bids offered for the purchase of this franchise shall be publicly opened and read at 6 p.m. C.D.T. on May 13, 2024. All bids shall state the bidder's acceptance of the terms and provisions set forth in the attached franchise agreement.

The Mayor shall present all written bids to the City of Dixon at its first meeting scheduled

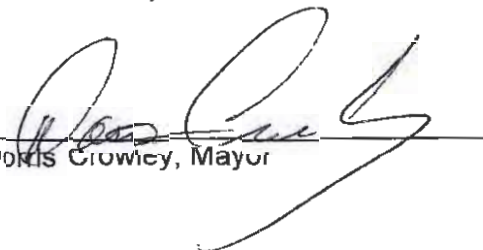
after the Bid Deadline for the City's consideration and approval. The City reserves the right to accept any bid, to reject any and all bids received, to waive any irregularities or informalities in awarding the franchise and to accept what, in its opinion, is the best responsive and responsible bid. In the event all bids are rejected, the City reserves the right to direct by resolution or ordinance that the franchise created hereunder be offered again for sale until a satisfactory bid is received and approved.

The franchise created by this ordinance shall become effective when the franchise agreement is signed by the successful bidder and the City.

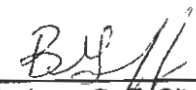
INTRODUCED AND PUBLICLY READ ON FIRST READING, this the 11th day of March, 2024.

PUBLICLY READ AND FINALLY APPROVED ON SECOND READING, this the 5th day of April, 2024.

CITY OF DIXON, KENTUCKY

By: 
Doris Crowley, Mayor

ATTEST:


Barbara Goff, City Clerk

Dixon City Commission
Regular Session
Monday, March 11, 2024, 6pm

Dixon City Commission met in session Monday, March 11, 2024, 6 p.m. Attending were Mayor Dorris Crowley, Commissioners Terry Webb, Randy Norman, Jeff Graham, and Peggy Poole, City Attorney Lindsay Durbin, City Clerk Barb Goff, Code Enforcement Officer Jessica Veach, and Code Enforcement Board Chairman Sondra Norman.

Minutes were approved on a motion by Commissioner Webb, seconded by Commissioner Graham, all ayes.

Bills were approved on a motion by Commissioner Poole, seconded by Commissioner Norman, all ayes.

The City's annual insurance review was recently completed with Peel & Holland, local representative for KLC.

Water loss for February was 22.55%. A possible leak on St Rt 132 is being investigated.

Dixon Fire Department completed 29 runs in February.

Webster County Youth Soccer has made a \$1,000 donation to Dixon Park, and expects to do the same next year. The league hosts spring and fall soccer seasons at Baker Park.

Restrooms have been repaired from last fall's vandalism event and were opened today for the 2024 season.

Construction has been completed to move the concession stand window under the pavilion seating area so that lines no longer will back up into the parking lot.

CEO Veach reported 12 open cases for the City's Code Enforcement Board. Half of those cases are repeat offenders.

A 5K is scheduled to begin at Baker Park on May 18. This is a joint effort between Dixon Tourism Board and Teen Challenge, with hopes to become an annual event. The City's Tourism Board and Park Board will partner to operate the concession stand during the event this year.

A second reading of an amendment to Ordinance 51.04 was approved on a motion by Commissioner Webb, seconded by Commission Norman, all ayes. This will impose a \$10 daily fine for residents who block access to their water meter in order to prevent disconnection.

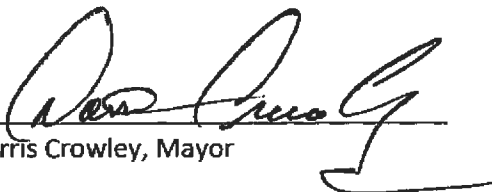
A renewal of a franchise agreement with Atmos Energy was approved for a first reading on a motion by Commissioner Graham, seconded by Commissioner Webb, all ayes. The agreement will provide for an annual payment of 1% of gross revenues from Atmos.

Commissioner Poole made a motion to declare a 1998 Ford F250, most recently used by Dixon Fire Department, as surplus property, seconded by Commissioner Webb, all ayes. It was noted that Webster County Fiscal Court has been using gov.deals online auction to sell surplus property and suggested the City do the same. Commissioner Webb made a motion to advertise the pickup truck for sale via gov.deals, seconded by Commissioner Graham, all ayes.

Commissioner Poole made a motion to authorize the mayor to sign a Collateral Security Agreement with United Community Bank, seconded by Commissioner Webb, all ayes.

Commissioner Poole made a motion to enter closed session under KRS 61.810 (f), seconded by Commissioner Norman, all ayes. Following, Commissioner Webb made a motion to resume public session, seconded by Commissioner Graham, all ayes. There was no report from the closed session.

A motion to adjourn was made by Commissioner Webb, seconded by Commissioner Norman, all ayes.

Signed: 
Dorris Crowley, Mayor


Barbara Goff, City Clerk

Dixon City Commission
Special Session
Tuesday, March 19, 2024, 2pm

Dixon City Commission met in a special session March 19, 2024, 2 p.m. for the purpose of designating which account to deposit the funds from the sale of property at 71 US Hwy 41A N, hire a water apprentice, and first reading of an ordinance amendment.

Attending were Mayor Dorris Crowley, Commissioners Terry Webb, Jeff Graham, and Peggy Poole, and City Clerk Barb Goff.

Commissioner Graham made a motion to deposit the funds received for the sale of property at 71 US Hwy 41A N to the City's Park Fund, seconded by Commissioner Webb, all ayes.

Commissioner Poole made a motion to hire Rob Hensley as a water apprentice effective April 1, 2024 at a rate of \$12.50 an hour, seconded by Commissioner Graham, all ayes. The City will utilize a water apprenticeship grant from Kentucky Rural Water Association to assist with the additional payroll expenses.

Commissioner Poole made a motion to amend Ordinance 91.06, seconded by Commissioner Webb, all ayes. The amendment will remove the requirement for three quotes when the City wishes to repair sidewalks; private property owners will continue to submit three quotes prior to repair or install of sidewalks.

A motion to adjourn was made by Commissioner Webb, seconded by Commissioner Graham, all ayes.

Signed: _____


Dorris Crowley, Mayor


Barbara Goff, City Clerk

Dixon City Commission
Regular Session
Monday, April 8, 2024, 6pm

UNAPPROVED
DRAFT ONLY

Dixon City Commission met in session Monday, April 8, 2024, 6 p.m. Attending were Mayor Dorris Crowley, Commissioners Terry Webb, Randy Norman, Jeff Graham, and Peggy Poole, City Attorney Lindsay Durbin, City Clerk Barb Goff, and Code Enforcement Board Chair Sondra Norman.

Minutes were approved on a motion by Commissioner Norman, seconded by Commissioner Webb, all ayes.

Bills were approved on a motion by Commissioner Webb, seconded by Commissioner Poole, all ayes.

Water loss for March was 22.91%. Dixon Fire Department made 26 runs during March.

The Kentucky Transportation Department has begun work to pave St Rt 132 in Dixon. They are also installing ADA compliant sidewalks on St Rt 132 E near Stegal St.

Commissioner Graham announced the Park Board will have a work session April 12 to discuss details on a LWCF grant application for Baker Park. He presented a request from the Park Board for the Commission to allow use of the funds from the sale of Bourland Park to be used as needed for in-kind funding should the grant be awarded to the City and Dixon Park Board. A motion to approve the request was made by Commissioner Poole, seconded by Commissioner Graham, all ayes.

Mrs. Norman gave a report that Code Enforcement Officer Veach will be mailing 6 Notice of Violations, most of which will be going to repeat offenders. Minimum amounts of time will be allowed to bring the properties into compliance before citations will be issued. She reminded that property owners, not tenants, are ultimately responsible for the upkeep of properties.

A second reading on an Ordinance for a franchise agreement with Atmos Energy was approved on a motion by Commissioner Webb, seconded by Commissioner Graham, all ayes.

Commissioner Webb made a motion to advertise the City's surplus 1998 F250 pickup for sealed bids in the newspaper and via the City's Facebook page, seconded by Commissioner Poole, all ayes.

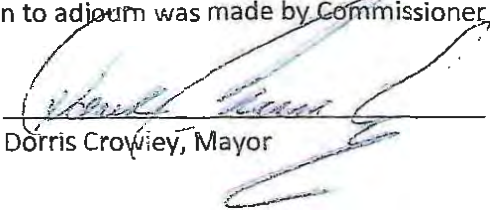
A second reading an amendment to Ordinance 91.06 was approved on a motion by Commissioner Poole, seconded by Commissioner Norman, all ayes. The amendment removes the requirement for the City to obtain three quotes when repairing or installing sidewalks; private property owners will continue to submit three quotes prior to work performed.

Lord Hayes' resignation from the Park Board was accepted on a motion by Commissioner Norman, seconded by Commissioner Webb, all ayes. The Park Board will discuss a recommendation on a replacement.

Commissioner Webb made a motion to enter closed session due to pending litigation, seconded by Commissioner Poole, all ayes. Following the closed session, Commissioner Webb made a motion to resume public session, seconded by Commissioner Graham, all ayes. There was no report.

A motion to adjourn was made by Commissioner Webb, seconded by Commissioner Poole, all ayes.

Signed:


Dorris Crowley, Mayor


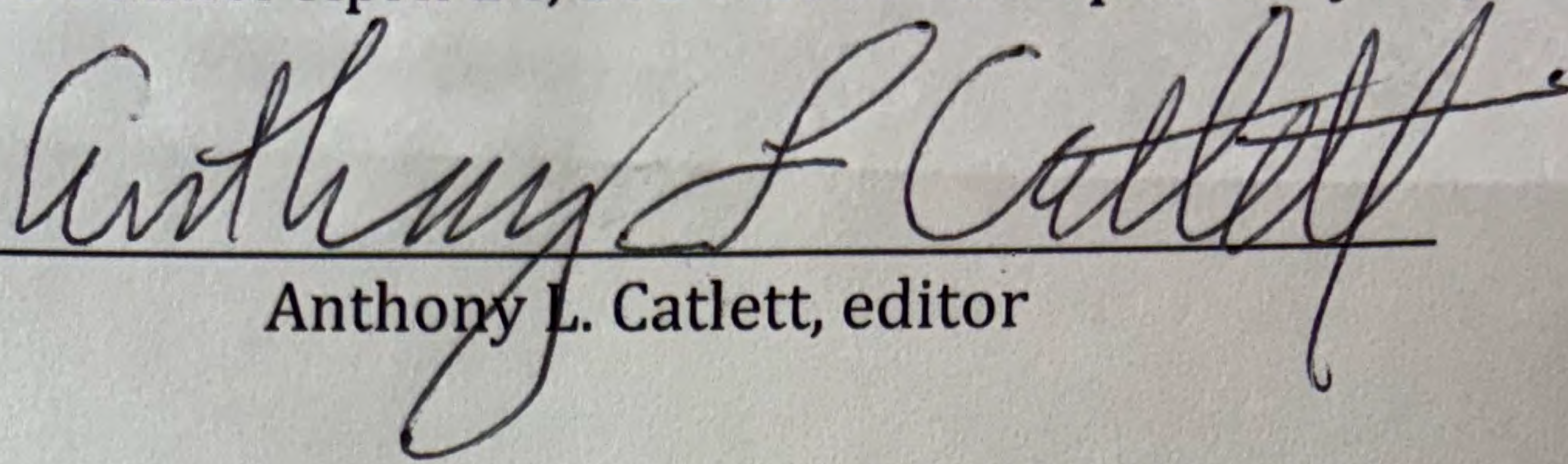

Barbara Goff, City Clerk

EXHIBIT C

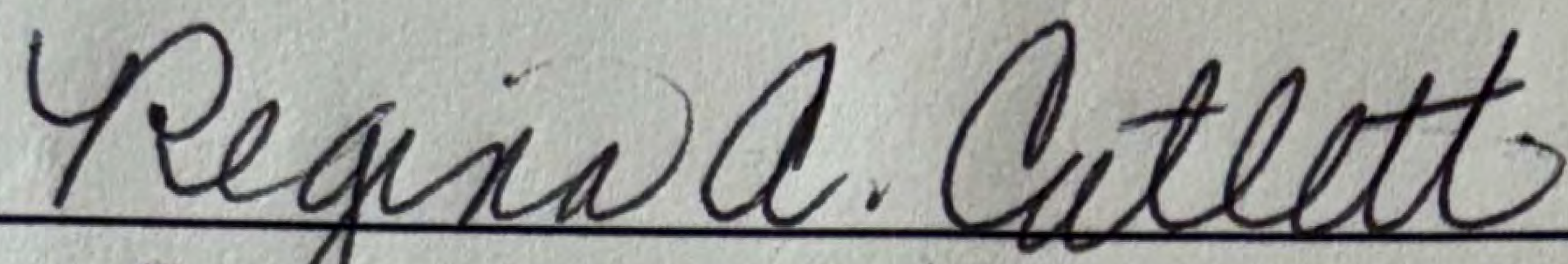
Affidavit of Publication

I, Anthony L. Catlett, editor of The Sebree Banner, affirm that a public notice advertising for bids for a sale of gas franchise for the City of Dixon, KY was published in The Sebree Banner April 24, 2024 issue as required by city ordinance 2024-1.



Anthony L. Catlett, editor

Subscribed and sworn before me this 25th day of April 2024, in the county of Webster in the state of Kentucky.



Regina A. Catlett, notary KYNP52676

My commission expires June 30, 2026.