

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

ELECTRONIC APPLICATION OF ATMOS)	
ENERGY CORPORATION FOR A CERTIFICATE)	CASE NO.
OF PUBLIC CONVENIENCE AND NECESSITY)	2024-00225
TO BID ON A FRANCHISE TO SERVE THE CITY)	
OF CAMPBELLSVILLE, 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 Campbellsville, in Taylor County, Kentucky (“Campbellsville”), 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:

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Vice President, Public Affairs
Atmos Energy Corporation
3275 Highland Pointe Drive
Owensboro, Kentucky 42303
Mark.Martin@atmosenergy.com

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Brittany Hayes Koenig
Heather S. Temple
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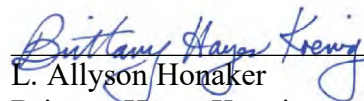
4. Campbellsville is a municipal corporation situated in Taylor, County, Kentucky and is in an area presently served by the Company. The Company has been the owner of a franchise operation of the natural gas system within Campbellsville immediately prior to the sale of a new franchise. Atmos Energy currently serves Campbellsville by and through a natural gas distribution system owned by Atmos Energy.

5. The Campbellsville 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. Campbellsville has directed that bids for the sale of a natural gas franchise be received on or before August 19, 2024. A copy of the Legal Notice that was published by Campbellsville in *The Central Kentucky News-Journal* regarding said new franchise is attached as Exhibit C and evidence of the bid deadline is attached as Exhibit D.

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

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 Campbellsville 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,



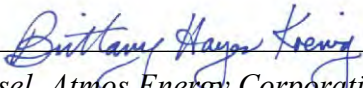
L. Allyson Honaker
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And

John N. Hughes
124 W. Todd Street
Frankfort, Kentucky 40601
No Fax
(502)227-7270
jnhughes@johnhughespsc.com
Counsel for Atmos Energy Corporation

CERTIFICATE OF SERVICE

A true and accurate copy of the foregoing was filed electronically with the Commission on July 16, 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

SUMMARY OF ORDINANCE 24-02

AN ORDINANCE OF THE CITY OF CAMPBELLSVILLE, 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 THE PUBLIC RIGHT OF WAY WITHING THE CITY OF CAMPBELLSVILLE, KENTUCKY, FOR A TERM OF TEN (10) YEARS IN CONSIDERATION FOR WHICH, THE SUCCESSFUL FRANCHISEE SHALL PAY TO THE CITY AN ANNUAL SUM EQUAL TO TWO PERCENT (2%) OF REVENUE COLLECTED; AND FURTHER ESTABLISHING A BID PROCEDURE FOR THE AWARD OF SAID FRANCHISE TO THE SUCCESSFUL BIDDER.

An Ordinance providing for the sale of a franchise for the privilege of constructing, transporting, operating, maintaining and distributing natural gas along and under the public right of way within the City of Campbellsville, Kentucky for a term of ten (10) years in consideration for which, the successful franchisee shall pay to the City an annual sum equal to two percent (2%) of revenue collected and further establishing a bid procedure for the award of said franchisee to the successful bidder. A complete copy of the Ordinance is on file with the City Clerk at City Hall, 110 S. Columbia Avenue, Suite B, Campbellsville, Kentucky 42718.

This Ordinance was introduced and given a first reading at a regular meeting of the City Council held on the 15th day of April, 2024; it received its second reading, passage and became effective at a regular meeting of the City Council held on the 20th day of May, 2024.

The foregoing summary was prepared by **Bertram, Cox & Miller, LLP, Attorneys at Law**, 321 E. Main Street, P.O. Box 1155, Campbellsville, Kentucky 42719.

/s/ John C. Miller
John C. Miller

ADVERTISEMENT FOR BIDS

The City of Campbellsville hereby offers for sale, to the highest and best bidder, a ten (10) year franchise to enter upon, acquire, construct, operate, maintain and repairs in the public right of way of the City, a gas distribution system with the corporate boundaries of the City, subject to the provisions of the Franchise Agreement which requires a franchise fee of two (2%).

Such bids shall be in writing and shall be delivered to the Mayor or his designee, at City Hall, Campbellsville, Kentucky, by 5:00 p.m. on July 8, 2024 (the "Bid Deadline"). 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 by offered again for sale until a satisfactory bid is received and approved.

ORDINANCE 24-02

AN ORDINANCE OF THE CITY OF CAMPBELLSVILLE, 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 THE PUBLIC RIGHT OF WAY WITHING THE CITY OF CAMPBELLSVILLE, KENTUCKY, FOR A TERM OF TEN (10) YEARS IN CONSIDERATION FOR WHICH, THE SUCCESSFUL FRANCHISEE SHALL PAY TO THE CITY AN ANNUAL SUM EQUAL TO TWO PERCENT (2%) OF REVENUE COLLECTED; 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 Campbellsville, Kentucky and Atmos Energy Corporation expires on May 9, 2024; and,

WHEREAS, the City of 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 CAMPBELLSVILLE, 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 ten (10) year franchise to enter upon, acquire, construct, operate, maintain and repairs in the public right of way of the City, a gas distribution system with the corporate boundaries of the City, subject to the provisions of the Franchise Agreement which requires a franchise fee of two (2%).

The Mayor, or such other person as the Mayor my 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, Campbellsville, Kentucky, by 5:00 p.m. on July 8, 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 5:00 p.m. E.S.T. on July 8, 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 Campbellsville 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 by 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.

The sponsor of this Ordinance is council member Heather Wise.

This Ordinance was introduced and given a first reading at a regular meeting of the City Council held on the 15th day of April, 2024; it received its second reading, passage and became effective at a regular meeting of the City Council held on the 20th day of May, 2024.


Dennis Benningfield, Mayor

ATTEST:

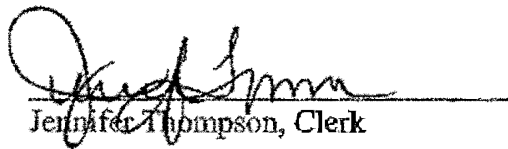

Jennifer Thompson, Clerk

EXHIBIT C

LEGAL

SUMMARY OF ORDINANCE 24-02

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An Ordinance providing for the sale of a franchise for the privilege of constructing, transporting, operating, maintaining and distributing natural gas along and under the public right of way within the City of Campbellville, Kentucky for a term of ten (10) years in consideration for which, the successful franchisee shall pay to the City an annual sum equal to two percent (2%) of revenue collected and further establishing a bid procedure for the award of said franchise to the successful bidder. A complete copy of the Ordinance is on file with the City Clerk at City Hall, 110 S. Columbia Avenue, Suite B, Campbellville, Kentucky 42718.

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The foregoing summary was prepared by Bertram, Cox & Miller, LLP, Attorneys at Law, 321 E. Main Street, P.O. Box 1155, Campbellville, Kentucky 42719.

/s/ John C. Miller
John C. Miller

AFFP

SUMMARY OF ORDINANCE 24-02 A

Affidavit of Publication

STATE OF KY)
COUNTY OF TAYLOR) SS

Melanie Miller, being duly sworn, says:

That she is Accounting Clerk of the Central Kentucky News-Journal, a newspaper of general circulation, printed and published in Campbellsville, Taylor County, KY; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

May 30, 2024

Publisher's Fee: \$ 112.69

That said newspaper was regularly issued and circulated on those dates.

SIGNED:



Subscribed to and sworn to me this 30th day of May 2024.



70026204 70969511

SUMMARY OF ORDINANCE 24-02

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/s/ John C. Miller
John C. Miller



City of Campbellsville
110 S COLUMBIA AVE STE B
CAMPBELLSVILLE, KY 42718

EXHIBIT D

From: Close, Mike <[REDACTED]>
Sent: Tuesday, July 16, 2024 4:06:49 PM
To: Allyson Honaker <allyson@hloky.com>
Subject: FW: [EXT] Franchise Fee

FYI

From: Jennifer Thompson <[REDACTED]>
Sent: Tuesday, July 16, 2024 2:39 PM
To: Close, Mike <[REDACTED]>
Subject: [EXT] Franchise Fee

CAUTION: Don't be quick to click. This e-mail originated from outside of Atmos Energy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

We have extended the deadline for the franchise bids to August 19,2024 at 4:30 pm.

Thank you

Jennifer Thompson
City Clerk
City of Campbellsville

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