

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF KENTUCKY UTILITIES	)	
COMPANY FOR A CERTIFICATE OF PUBLIC	)	
CONVENIENCE AND NECESSITY	)	CASE NO.
AUTHORIZING KU TO BID ON A FRANCHISE	)	2009-00382
ESTABLISHED BY THE CITY OF	)	
BRADFORDSVILLE	)	

O R D E R

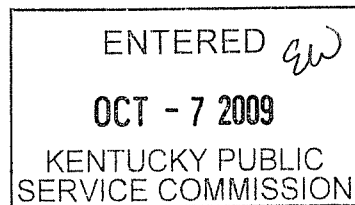
On September 21, 2009, Kentucky Utilities Company ("KU") filed with the Commission its application seeking a Certificate of Public Convenience and Necessity to qualify it to bid on a franchise for electric service offered by the city of Bradfordsville, Kentucky. Under the provisions of KRS 278.020(4), no utility may apply for a franchise from any governmental agency until it has obtained a Certificate of Public Convenience and Necessity from this Commission, based on our finding that there is a need and demand for the service sought to be rendered.

In light of the ordinance of the city of Bradfordsville creating an electric distribution franchise, the Commission determines that there is evidence of a need and demand for electric service in the above-mentioned city. Since the Commission's authority in such matters is limited by statute to finding only whether there is a need and demand for the service sought to be rendered, no finding or determination is made as to the qualifications of the bidder, the validity of any of the provisions of the franchises offered by said city, or the manner in which any franchise fee is to be treated for rate purposes.

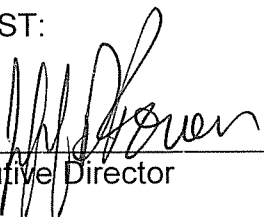
IT IS THEREFORE ORDERED that:

1. KU is granted a Certificate of Public Convenience and Necessity that authorizes it to bid on a franchise for electric service offered by Bradfordsville, Kentucky.
2. KU, if it becomes the successful bidder, shall file with this Commission two copies of the franchise agreement.
3. This Order shall not be construed as granting a Certificate of Public Convenience and Necessity to construct utility facilities in said city.

By the Commission



ATTEST:

  
\_\_\_\_\_  
Executive Director



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GENERAL COUNSEL

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SEP 21 2009

PUBLIC SERVICE  
COMMISSION  
Kentucky Utilities Company  
Legal Department  
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Louisville, Kentucky 40202  
www.eon-us.com

Mr. Jeff DeRouen  
Executive Director  
Public Service Commission of Kentucky  
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2009 - 00382

September 18, 2009

**RE: Application of Kentucky Utilities Company for a Certificate of Public Convenience and Necessity Authorizing KU to Bid on a Franchise Established by the City of Bradfordsville**

Dear Mr. DeRouen:

Enclosed please find an original and 10 copies of an Application for a Certificate of Public Convenience and Necessity ("CCN"), to enable Kentucky Utilities Company (the "Company") to apply for an electric franchise with the City of Bradfordsville (the "City") pursuant to KRS 278.020(4). In a regular session held on June 10, 2009, the City Council of Bradfordsville, Kentucky passed Ordinance No. 2009-2, which directed the advertising for bids and selling of an electric franchise in the City.

For many years, the Company has been the owner of a franchise granted by the City to erect facilities for providing electric service to the City and the inhabitants thereof. The franchise to be obtained will replace the previous franchise.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

Allyson K. Sturgeon

Enclosures

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SEP 21 2009

PUBLIC SERVICE  
COMMISSION

**BEFORE THE  
KENTUCKY PUBLIC SERVICE COMMISSION**

**In the Matter of:**

**APPLICATION OF KENTUCKY UTILITIES COMPANY )  
FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND )  
NECESSITY AUTHORIZING KU TO BID ON A )  
FRANCHISE ESTABLISHED BY THE CITY OF )  
BRADFORDSVILLE )**

**CASE NO. 2009-00382**

**APPLICATION**

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

1. The Post Office address of the principal office of Applicant is 220 West Main Street, Louisville, Kentucky 40202. KU is a Kentucky corporation authorized to do business in the Commonwealth of Kentucky.

2. KU is a utility engaged in the business of supplying electric service in and to various cities and the inhabitants thereof within the Commonwealth of Kentucky, and has conducted such business for a number of years. The instant filing is made in accordance with Section 278.020(4) of the Kentucky Revised Statutes.

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

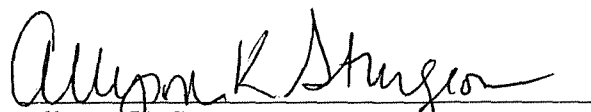
4. A certified copy of KU’s Articles of Incorporation is already on file with the Commission in Case No. 2005-00471 and is incorporated herein by reference pursuant to 807 KAR 5:001, Section 8(3).

5. 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.

6. 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.

Dated at Louisville, Kentucky, this 18<sup>th</sup> day of September, 2009.



Allyson K. Sturgeon  
Senior Corporate Counsel  
Kentucky Utilities Company  
220 West Main Street  
Louisville, Kentucky 40202  
(502) 627-2088

## **Exhibit A**



# legal notices

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## CITY OF BRADFORDSVILLE

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### NOTICE OF SALE OF FRANCHISE

By virtue of a resolution heretofore passed by the Council of the City of Bradfordsville, Kentucky, directing this advertisement for bids and selling of a franchise to use certain streets, alleys, and public grounds of the city of Bradfordsville, Kentucky for the purpose of owning, operating, equipping and maintaining a system for the transmission and distribution of electric energy. The City Clerk of Bradfordsville will on October 14, 2009, at or about 6:30 p.m., sell at public auction to the highest bidder at the City Hall of Bradfordsville 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 Bradfordsville City Clerk, Bradfordsville, Kentucky. The ordinance by title and summary is as follows: **ORDINANCE # 2009-2 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.** Wanda Marlow, City Clerk, Published September 2, 2009.

Lebanon Enterprise Marketplace

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Louisville, KY 40202