



Mr. Jeff DeRouen
Executive Director
Public Service Commission of Kentucky
211 Sower Boulevard
Frankfort, Kentucky 40602

RECEIVED

MAR 12 2010

2010-00112 PUBLIC SERVICE
COMMISSION

Kentucky Utilities Company
Legal Department
220 West Main Street
Louisville, Kentucky 40202
www.eon-us.com

Allyson K. Sturgeon
Senior Corporate Attorney
T 502-627-2088
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March 11, 2010

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 Dawson Springs

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 Dawson Springs (the "City") pursuant to KRS 278.020(4). In a regular session held on February 16, 2010, the City Council of Dawson Springs, Kentucky passed Ordinance No. 2010-01, 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

**BEFORE THE
KENTUCKY PUBLIC SERVICE COMMISSION**

RECEIVED

MAR 12 2010

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) CASE NO. 2010-00112
FRANCHISE ESTABLISHED BY THE CITY OF)
DAWSON SPRINGS)**

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 Dawson Springs, Kentucky (the “City”) has solicited bids pursuant to resolution or ordinance and advertisement, a copy of which is attached hereto as Exhibit A.

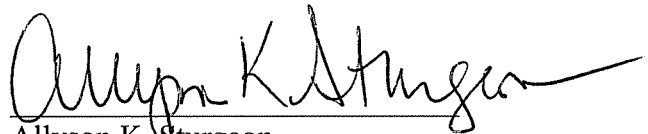
4. A certified copy of KU's Articles of Incorporation is already on file with the Commission in Case No. 2005-00471 and is incorporated herein by reference pursuant to 807 KAR 5:001, Section 8(3).

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 11th day of March, 2010



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

Exhibit A

E O E M/F/D/V — DRUG FREE WORKPLACE

FOR SALE

2-Bedroom, 1 Bath Home w/Carport

196 Park Avenue

Call 797-3015 or 871-1830

NOTICE: If you change your address and receive The Dawson Springs Progress by U.S. Mail please notify us as soon as possible so that we may change our records and you will get your newspaper in an acceptable time. Please call The Progress at 270-797-3271.

RENT TO OWN — Dawson Springs, in town, house, 2-4 bedrooms, washer/dryer hookup, \$350/month and \$350 down payment. Phone 270-522-6368. 3CN4

IF YOU CHANGE your address and receive The Dawson Springs Progress by U.S. Mail please notify us as soon as possible.

advertised in Dawson Springs Press means more in your pocket. I 797-3271 and we help you with th We take cash or c stop in and see us

FOR SALE — Two-piece queen pillowtop mattress set, new, still in wrapper from factory, \$75.00. 270-854-5205. 3P4

PAYING VERY competitive rates! Pre-arrange your funeral and receive interest at a higher rate than you can find anywhere else. See us at Beshear Funeral Home. Make yours now and beat inflation! Phone 797-5165. 31CC

FOR SALE — Equipment haul trailer, 10,000-lb. with loading ramps, \$800.00. Phone 797-0100. 41CNC

FOR SALE — 2001 GMC dump truck, 95,000 miles, elec. tarps, \$16,000.00. Phone 797-0100. 41CNC

NOTICE OF SALE OF FRANCHISE

By virtue of a resolution heretofore passed by the Council of the City of Dawson Springs, Kentucky, directing the advertisement for bids and selling of a franchise to use certain streets, alleys, and public grounds of the City of Dawson Springs, Kentucky, for the purpose of owning, operating, equipping and maintaining a system for the transmission and distribution of electric energy. The City Clerk of Dawson Springs will on March 15, 2010, at or about 4:30 p.m. CST, sell at public auction to the highest bidder at the City Hall of Dawson Springs 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 Dawson Springs City Clerk, 200 W. Arcadia Ave., Dawson Springs, Kentucky. The ordinance by title and summary is as follows: ORDINANCE #2010-01. 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, Janet Dunbar, City Clerk, Published February 25, 2010.

ORDINANCE NO. 2010-01

AN ORDINANCE TO THE CITY OF DAWSON SPRINGS 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 DAWSON SPRINGS, KENTUCKY; FOR FURNISHING AND SELLING ELECTRICITY BY MEANS OF SAID FACILITIES; AND PROVIDING FOR THE SALE OF SAID FRANCHISE.

WHEREAS, the City of Dawson Springs ("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 on March 19, 1990 under which that utility provided such service, has expired by its terms;

WHEREAS, the City wishes to provide for the sale of a new franchise for the benefit of its citizens, 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 those set forth in the Franchise Agreement attached to this Ordinance.

Get Rid Of Unwanted Items: Advertise In The Classifieds!

Ad cost:

20 Words - \$3.00

(Paid Ad)

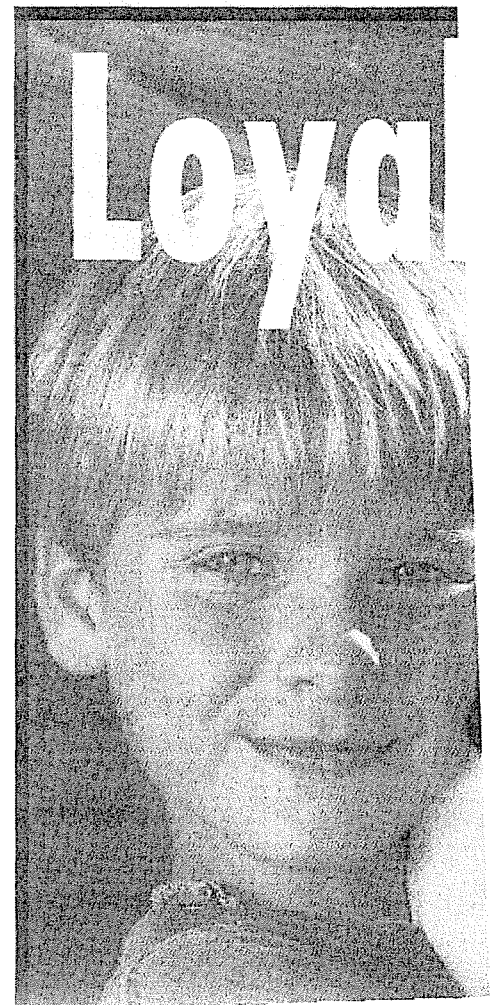
Additional Words 5¢ each.

Charge Ads

\$4.00 for 20 Words

Additional Words 5¢ each

Loyal



ORDINANCE NO. 2010-01

AN ORDINANCE TO THE CITY OF DAWSON SPRINGS 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 DAWSON SPRINGS, KENTUCKY: FOR FURNISHING AND SELLING ELECTRICITY BY MEANS OF SAID FACILITIES; AND PROVIDING FOR THE SALE OF SAID FRANCHISE.

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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 take effect no earlier than 90 days after its execution, to allow the City and the winner 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 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.

FIRST READING _____ January 18, 2010

SECOND READING _____ February 16, 2010

Approved:



ATTEST:



City Clerk, Janet Dunbar