



October 26, 2010

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

RECEIVED

OCT 26 2010

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
F 502-217-4995
allyson.sturgeon@eon-us.com

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 Kuttawa

Dear Mr. DeRouen:

2010-00416

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 Kuttawa (the "City") pursuant to KRS 278.020(4). In a public meeting held on October 11, 2010, the City Council of Kuttawa, Kentucky passed Ordinance No. 10-09-13-07, which directed the advertising for bids and selling of an electric franchise in the City. We respectfully ask for an order granting the CCN by November 8, 2010 to enable KU to bid on the franchise on the sale of November 8, 2010.

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
AKS/kmw
Enclosures

BEFORE THE
KENTUCKY PUBLIC SERVICE COMMISSION

RECEIVED

In the Matter of:

OCT 26 2010

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)
KUTTAWA, KENTUCKY)

PUBLIC SERVICE
COMMISSION

CASE NO. 2010- 416

APPLICATION

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

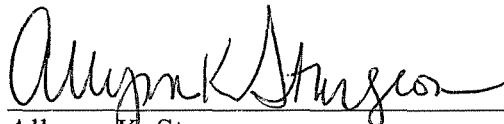
1. The Post Office address of the principal office of Applicant is 220 West Main Street, Louisville, Kentucky 40202. KU is a Kentucky corporation authorized to do business in the Commonwealth of Kentucky.
2. KU is a utility engaged in the business of supplying electric service in and to various cities 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 Kuttawa, 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 by November 8, 2010 to enable KU to bid on the franchise on the sale date of November 8, 2010.

Dated at Louisville, Kentucky, this 26th day of October, 2010.



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

Exhibit A

**LAWN MOWER
REPAIR**

Engine Re-
awn mowers,
eater, chain
etc. Marshall
Battery and
7-7122.

**LAWN/LANDSCAPE/
TREE SVC**

STUMP RE-
AL,
437-3044 or
93-7782.

DEBRIS Re-
al. Complete
Cleanup, Land-
Design & Instal-
270-564-7742.

**1198 LAWN/LANDSCAPE/
TREE SVC**

**PENNEY TREE
SERVICE.**
INSURED
FREE ESTIMATES!
CALL 270-924-4400.
TRIMMING-TOPPING
REMOVALS-STUMP
GRINDING & LOT
CLEARING.

1200 TREE SERVICE

**HOMETOWN Tree
Service.** Reliable, de-
pendable, free stump
removal. Insured. Call
293-4489 pr
437-3044.

1210 MASONRY

SMITH MASONRY -
Residential/commer-
cial, block, brick, stone
foundations, fire
places, basements,
patios, retainer walls,
30 years experience.
270-527-8275.

1228 PAINT/WALLCOVER

J&C PAINTING - Free
estimates, 20 years
experience. Refer-
ences available. Inter-
ior/Exterior, Residen-
tial/Commercial. In-
sured. 270-395-7615.

**1342 STORAGE, INDOOR/
OUTDOOR**

Storage units. Call
522-8093 OR
522-5216

**1342 STORAGE, INDOOR/
OUTDOOR**

New Mini Storage
units now available.
Located in the Tollgate
Center, Cadiz. Call for
details. 522-3064

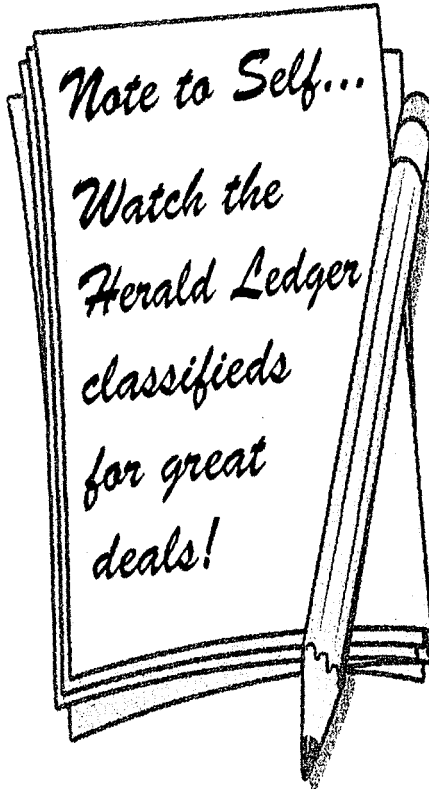
**PROFESSIONAL
SERVICE DIRECTORY**

1770 MUSIC LESSONS

LESSONS: Kids &
adults, guitar, banjo,
bass, mandolin, etc.
E/Z Method. Scottie
Henson.
270-354-6507.

1833 PET CARE

\$20 Grooming!!! All
Dogs under 50# only
\$20 call about cats or
larger dogs to
963-0772 PAWS IN
PRINCETON



NOTICE OF SALE OF FRANCHISE
By virtue of a resolution heretofore passed by
the Council of the city of Kuttawa, Kentucky,
directing the advertisement for bids and selling
of a franchise to use certain streets, alleys, and
public grounds of the city of Kuttawa, Kentucky
for the purpose of owning, operating, equipping
and maintaining a system for the transmission
and distribution of electric energy. The City
Clerk of Kuttawa will on November 8th, at or
about 7:00 PM, sell at public auction to the high-
est bidder at the City Hall of Kuttawa 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 in-
spection in the office of the Kuttawa City Clerk,
90 Beech, Kuttawa, Kentucky. The ordinance by
title and summary is as follows: **ORDINANCE
#10-09-13-7 AN ORDINANCE ESTABLISH-
ING 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 UTILI-
TIES COMPANY, Steven C. Long, City Clerk,
Published 10/20/10.**

 **River's Bend
Assisted Living**
is in need of
On-Call Client Aide
*No certification is required,
on-site training is given.*
Contact Justin Ladd,
at 270-388-2868 Ext. 27

 **River's Bend
Assisted Living**

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d. Call (270)
1400 or email
a@youngblood
avating.com
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NOTICE

Lyon County Water District proposes to
make the following revisions to its schedule
of charges. The proposed effective date of
the change is November 15, 2010.

Non-Recurring Charges:
Sewer Tap-On Fee \$550 00

The rates contained in this notice are the rates
proposed by Lyon County Water District.
However, the Public Service Commission
may order rates to be charged that differ from
these proposed fees. Such action may result
in rates for consumers other than the rates in
this notice.

Any corporation, association, body politic,
or person may request leave to intervene
by motion within 30-days after notice of
the proposed rate changes are given. The
motion shall be submitted to the Public
Service Commission, 211 Sower Boulevard,
Frankfort, KY 40602, and shall set forth the
grounds for the request including the status
and interest of the party.

Intervenors may obtain copies of the
application and testimony by contacting the
District Office at 5464 US Hwy 62 West in

is of the County Clerk of
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disclosures in the financial
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ation, included herein, which

ORDINANCE NO. 10-09-13-07

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

WHEREAS, the City of KUTTAWA ("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 April 6, 1986 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, 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 that 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.

The franchise ordinance with Kentucky Utilities was adopted at a public meeting of the City Council of the City of Kuttawa, Kentucky on October 11, 2010.

FIRST READING September 13, 2010

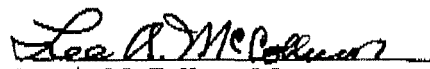
SECOND READING October 11, 2010

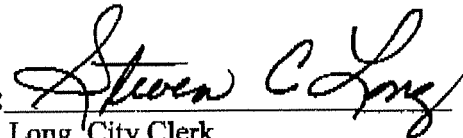
CONSIDERATION October 11, 2010

PASSAGE October 11, 2010

PUBLICATION October 20, 2010

Approved:


Lee A. McCollum, Mayor
City of Kuttawa, Kentucky

ATTEST: 
Steven C. Long, City Clerk
City of Kuttawa

2 LAWN MOWER REPAIR

ALL Engine Re-
Lawn mowers,
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98 LAWN/LANDSCAPE/
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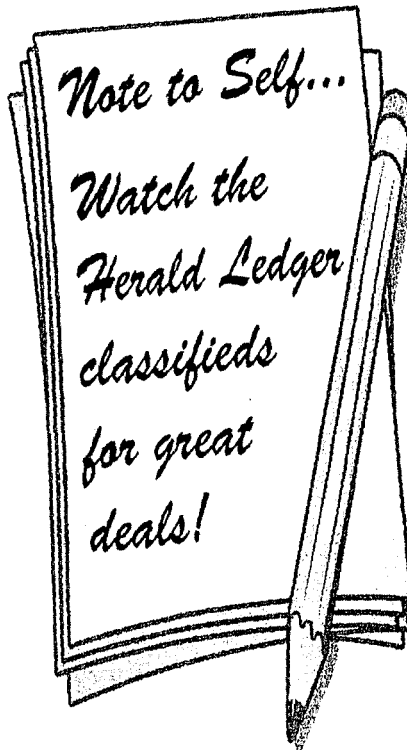
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[ssa@youngblood](mailto:ssa@youngblood.com)
xcavating.com
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 **River's Bend
Assisted Living**

is in need of
On-Call Client Aide
*No certification is required,
on-site training is given.*

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at 270-388-2868 Ext. 27

 **River's Bend
Assisted Living**