COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF ATMOS ENERGY CORPORATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO BID ON A FRANCHISE FOR THE CITY OF HARRODSBURG, KENTUCKY	)))))	CASE NO. 2026-00307

O R D E R

On October 15, 2026, Atmos Energy Corporation (Atmos Energy) filed its application with the Commission seeking a Certificate of Public Convenience and Necessity (CPCN) to authorize it to bid on a franchise offered by the city of Harrodsburg, Kentucky, for the transmission and distribution of natural gas. Atmos Energy provided a copy of Ordinance No. 2026-20, which authorized granting a franchise for the sale and distribution of natural gas within the city of Harrodsburg boundary.[1] Ordinance No. 2026-20 was approved on September 28, 2026, and public notice of the sale of franchise was published on October 1, 2026.[2]

Sections 163 and 164 of the Kentucky Constitution and KRS Chapter 96 authorize municipal corporations to require public utilities, including non-governmental providers of electricity within the municipal corporations' boundaries, to operate under franchise agreements and to grant utilities the right to use public right-of-way on reasonable and necessary conditions. Under the provisions of KRS 278.020(5), no utility may apply for a

[1] Application, Exhibit B

[2] Application, Exhibit C

franchise from any governmental agency until it has obtained a CPCN 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 city of Harrodsburg's ordinance creating a natural gas transmission and distribution franchise, the Commission determines that there is evidence of a need and demand for natural gas 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.

The Commission directs Atmos Energy to the Commission's July 22, 2021 Order in Case No. 2020-00085[3] regarding filings with the Commission.

IT IS THEREFORE ORDERED that:

1. Atmos Energy is granted a CPCN that authorizes it to bid on a franchise offered by the city of Harrodsburg, Kentucky, for the transmission and distribution of natural gas.

2. If Atmos Energy is not the successful bidder, Atmos Energy shall file with the Commission, within ten days of the award of the franchise at issue, a written notice stating that Atmos Energy was not the successful bidder.

[3] Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC July 22, 2021), Order (in which the Commission ordered that for case filings made on and after March 16, 2020, filers are NOT required to file the original physical copies of the filings required by 807 KAR 5:001, Section 8).

3. If Atmos Energy is the successful bidder, Atmos Energy shall file with the Commission, within ten days of the award of the franchise at issue, a copy of the executed franchise agreement and a statement disclosing the amount of the initial franchise fee.

4. If Atmos Energy is the successful bidder, Atmos Energy shall file with the Commission, within ten days of an increase or decrease in the amount of the initial franchise fee set forth in the franchise agreement, documentation setting forth the revised fee.

5. Any documents filed pursuant to ordering paragraphs 2, 3, or 4 of this Order shall reference the number of this case and shall be electronically submitted via the Commission's electronic Tariff Filing System.

6. This Order shall not be construed as granting a CPCN to construct utility facilities in said city.

7. This case is closed and removed from the Commission's docket.

Entered on this 3rd day of November, 2026.

PUBLIC SERVICE COMMISSION

Angie Hatton
Chair

Mary Pat Regan
Vice Chair

Andrew W. Wood
Commissioner

Barry L. Mayfield
Commissioner

ATTEST:

Justin McNeil
Executive Director

Service List for Case 2026-00307

* L. Allyson Honaker
Honaker Law Office, PLLC
1795 Alysheba Way
Suite 1203
Lexington, KY 40509

* Heather Temple
Honaker Law Office, PLLC
1795 Alysheba Way
Suite 1203
Lexington, KY 40509

* Mark A Martin
Atmos Energy Corporation
3275 Highland Pointe Drive
Owensboro, KY 42303

* Atmos Energy Corporation
3275 Highland Pointe Drive
Owensboro, KY 42303

* Meredith L. Cave
Honaker Law Office, PLLC
1795 Alysheba Way
Suite 1203
Lexington, KY 40509

* Shelly M Bass
Atmos Energy Corporation
5430 LBJ Freeway
1800 Three Lincoln Centre
Dallas, TX 75240

* Denotes served by Email