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PUBLIC SERVICE COMMISSION
ENGINEERING DIVISION

ORDINANCE NO. 98-(4)

GRANTING AND OFFERING FOR SALE A 20-YEAR EXCLUSIVE
FRANCHISE TO PLACE ELECTRIC TRANSMISSION AND DISTRIBUTION
FACILITIES IN PUBLIC STREETS AND PLACES OF
THE CITY OF SOUTHGATE, KENTUCKY

THE CITY COUNCIL OF THE CITY OF SOUTHGATE,
DOES ORDAIN AS FOLLOWS:

Section 1. The City of Southgate, hereby grants and offers for sale to the successful bidder an exclusive franchise, consent, right and privilege, for a period of 20 years starting from the date of acceptance of the bid of the successful bidder, to construct, reconstruct, erect, extend, operate, maintain, repair, replace and remove (herein collectively called install or installation) poles, wires, cables, apparatus, fixtures and equipment for the transmission and distribution of electricity (herein collectively called facilities) within, along, over, under and across the public streets, alleys, ways, places and grounds of the City (herein collectively called public property). Such transmission shall include the transmission of electricity into, through and out of the City and transmission terminating within the City. The successful bidder may, in its discretion, install any and all facilities overhead. The successful bidder shall not encumber public property by temporary obstructions or excavations any longer than shall be necessary in the accomplishment of such purposes. If, during the franchise period, the City constructs or relocates public property or sewer lines, water lines or other utilities owned by it and located within the boundaries of any public property, and such construction or relocation interferes with facilities of the successful bidder, the successful bidder shall, within a reasonable time after receiving written request of the

Mayor of the City, move or relocate the same within public property so as not to interfere therewith; but the successful bidder shall not be required to terminate any service provided by its facilities. Where such moving or relocation of the successful bidder's facilities is required by any project of the City done in its governmental capacity, such moving or relocation shall be done by the successful bidder at its own expense, but where the same is required by the City acting in a proprietary capacity, it shall be at the City's expense. The successful bidder shall have the right, without payment of fees, to cut, trim or remove any trees, overhanging branches or other obstructions on public property which in the opinion of the appropriate engineer of the successful bidder may endanger or interfere with the efficient installation of facilities. If during the franchise period the City vacates public property in or on which the successful bidder's facilities are located, the City shall make such provisions as may be necessary to grant the successful bidder the right to retain its facilities at their present locations, along with the rights to operate, maintain, etc. as provided in Section 1 hereof.

Section 2. The successful bidder shall render electric service from its facilities to the City and its inhabitants at such rates and under such conditions as may be applicable and effective from time to time throughout the franchise period, as set forth in its filings with the Public Service Commission of Kentucky, and in the rules, regulations and service requirements thereof. The electric service to be rendered shall be alternating current, 60 Hz, single or three phase service, supplied within the appropriate range for successful bidder's standard secondary voltage for each respective type of service.

Section 3. Each bid shall specify the rate tariffs which, until thereafter duly changed, shall be applicable to service rendered within the City.

Section 4. The successful bidder shall defend and indemnify the City against any suit or claim for any expense or liability whatsoever by reason of the sole negligence of the successful bidder.

Section 5. If the successful bidder is unable to secure or resecure from other political subdivisions such rights as are necessary for the construction or operation of facilities needed to provide electric service to the City and its inhabitants, the successful bidder may, upon its giving notice to the City, be released from all obligations under this Ordinance during the remainder of the franchise period or until such rights are secured or resecured. If the successful bidder does not, as of the date of the passage of this Ordinance, maintain facilities in the City, such bidder shall commence the construction of facilities within 120 days after the acceptance of its bid or after receipt of any necessary authorization from the appropriate governmental agencies, whichever is later, and supply electricity to the City and all of its inhabitants qualifying for the same within 18 months after such date, or this franchise shall be void.

Section 6. The words successful bidder mean the successful bidder and his, its or their heirs, successors and assigns, each of which must, upon rendering service hereunder, be a utility providing electric service under K.R.S. §278.010 and any succeeding section. The word City means the City of Southgate, Campbell County, Kentucky, its successors and assigns, as it now exists or as changed through annexation, reduction of its boundaries, merger,

consolidation, or other similar proceedings.

Section 7. The City Clerk is hereby directed to advertise, as provided by law, for bids for this franchise, such bids to be received by City Council at its regular meeting to be held at 7:30 P.M. on the 21st day of September, 1977. Each bid shall be sealed and marked "Bid for Electric Franchise," and shall be opened by City Council at such regular meeting.

Section 8. This Ordinance and the bid accepted by the City Council of the City shall, upon passage of the Ordinance accepting the bid, constitute a contract between the City and the person, firm or corporation to which the franchise is awarded.

Section 9. This Ordinance shall be effective at the earliest time allowed by law.

Passed this 7th day of September, 1977.



Kenneth R. Paul
Chairman Mayor

ATTEST:

Marmaduke Holdsworth
Clerk

STATE OF KENTUCKY
COUNTY OF CAMPBELL
CITY OF SOUTHGATE

I, MARMADUKE HOLDSWORTH, Clerk of the City of
Southgate, Campbell County, Kentucky do
hereby certify that the foregoing is a true and correct copy of
Ordinance No. 98-(4), passed by the City Council of said City on
the 7th day of September, 1977, and recorded in
the official journal of said City.

Given under my hand and the seal of the City of _____
Southgate, Campbell County, Kentucky, this
9th day of September, 1977

Marmaduke Holdsworth
Clerk

COVINGTON, Kentucky

September 15, 1977

HONORABLE CITY COUNCIL
CITY OF SOUTHGATE, KENTUCKY

BID FOR ELECTRIC FRANCHISE

In response to your offer contained in Ordinance No. 98-(4),
passed by you on September 7, 1977, entitled:

AN ORDINANCE GRANTING AND OFFERING FOR SALE A
20-YEAR EXCLUSIVE FRANCHISE TO PLACE ELECTRIC
TRANSMISSION AND DISTRIBUTION FACILITIES IN
PUBLIC STREETS, AND PLACES OF THE CITY OF
SOUTHGATE, KENTUCKY,

the undersigned, The Union Light, Heat and Power Company, for itself,
its successors and assigns, herein called Company, submits its bid
and requests that such franchise be awarded to it in consideration
of which the Company shall pay the City the cost of publishing
necessary ordinances hereto, render service and perform all the terms
and conditions set forth in such Ordinance.

In compliance with the provisions of Section of such
Ordinance, the attached tariff, which is made a part hereof, shall,
upon acceptance hereof and due filing, be applicable to service
rendered within the City, until lawfully changed:

Respectfully submitted,

THE UNION LIGHT, HEAT AND POWER COMPANY

By Walter J. Ott
Vice President

RATE RS
RESIDENTIAL SERVICE

AVAILABILITY

Available in all territory to which P.S.C. Ky. No. 3 applies where facilities of suitable voltage and adequate capacity are adjacent to the premise to be served.

APPLICABILITY

Applicable to electric service other than three phase service, for all domestic purposes in private residences, and single occupancy apartments.

Residences where not more than two rooms are used for rental purposes will also be included. Where multi-occupancy buildings are served through one meter this Rate will be applied on a "per residence" or "per apartment" basis. Service to the halls, basement or other common use portions of an apartment building will not be supplied under this Rate.

Where a portion of a residential unit is used for purposes of a commercial or public character, the appropriate General Service Rate is applicable to all service; provided that if the wiring is so arranged that the service for residential purposes can be metered separately, this Rate will be applied to the residential service, if the service qualifies hereunder.

TYPE OF SERVICE

Alternating current 60 Hz, single phase at Company's standard secondary voltage.

NET MONTHLY BILL

(I) Computed in accordance with the following charges:

First 100 kilowatt hours at 6.238¢ per kilowatt hour
Next 100 kilowatt hours at 3.572¢ per kilowatt hour
Next 300 kilowatt hours at 3.138¢ per kilowatt hour
Next 500 kilowatt hours at 2.838¢ per kilowatt hour
Additional kilowatt hours at 2.498¢ per kilowatt hour
When electricity is used for "qualified" space heating, all kilowatt hours in excess of 1500 will be billed at 2.398¢ per kilowatt hour.

(N) Plus or minus an adjustment per kWh determined in accordance with the "FUEL COST ADJUSTMENT" set forth on Sheet No. 38 of this tariff.

Minimum: \$2.50

When bills are rendered less frequently than monthly, the time related units such as energy blocks, minimum or other charges will be billed in accordance with the number of billing months in the meter reading interval.

WATER HEATING SERVICE

Rider WHS-Water Heating Service is not applicable to this rate.

When Company approved electric water heaters are installed and in use as the primary source of heating water, the 3.138¢ and 2.838¢ per kilowatt hour blocks of energy will be altered as follows:

First 100 kilowatt hours plus forty (40) percent of the total kilowatt hours used in the month shall be billed at 2.448¢ per kilowatt hour, except the maximum number of kilowatt hours to be billed at 2.448¢ per kilowatt hour is five hundred (500). The remaining kilowatt hours in this energy block shall be billed at 2.838¢ per kilowatt hour.

This water heating service is not applicable where there is in use an electric water heater which may impose a demand greater than 5.5 kilowatts or to any new or replacement water heater installation or succession in the case of an old installation after August 26, 1974.

QUALIFIED SPACE HEATING

"Qualified" space heating is the heating of residential living quarters primarily through the regular use of permanently connected electric heating equipment, the installation of which meets Company's specifications.

PAYMENT

The Net Monthly Bill is payable within fourteen (14) days from date. When not so paid, the Gross

(I) Monthly Bill, which is the Net Monthly Bill plus 5%, is due and payable

SERVICE REGULATIONS

The supplying of, and billing for, service and all conditions applying thereto, are subject to the jurisdiction of the Public Service Commission of Kentucky, and to Company's Service Regulations currently in effect, as filed with the Public Service Commission of Kentucky, as provided by law.

Issued pursuant to an Order of the Public Service Commission of Kentucky, dated November 30, 1976 in Case No. 6566.

ORDINANCE NO. 99-(4)

ACCEPTING THE BID OF THE UNION LIGHT,
HEAT AND POWER COMPANY AS HIGHEST AND
BEST BIDDER UNDER ORDINANCE NO. 98-(4)

THE CITY COUNCIL OF THE CITY OF SOUTHGATE DOES
ORDAIN AS FOLLOWS:

Section 1. That The Union Light, Heat and Power Company is
the highest and best bidder for the sale of the franchise granted
by Ordinance No. 98-(4), passed by the City Council of the
City of Southgate at its regular meeting held on the
7th day of September, 1977, and that the bid of such Company
is accepted and The Union Light, Heat and Power Company is hereby
designated as the grantee of such franchise.

Section 2. That this Ordinance shall be effective at the
earliest time allowed by law.

Passed this 5th day of October, 19 77.

Mary Kenneth R. Paul
Chairman

ATTEST:

Marneduke Holdsworth
Clerk

STATE OF KENTUCKY
COUNTY OF CAMPBELL
CITY OF SOUTHGATE

I, _____, Clerk of the City of Southgate
_____, Campbell County, Kentucky, do hereby
certify that the foregoing is a true and correct copy of Ordinance
No. 99-(5) passed by the City Council of said City on the 5th
day of October, 19 77, and recorded in the official journal
of said City.

Given under my hand and the seal of the City of Southgate
_____, Campbell County, Kentucky, this 6th day of
October, 19 77.

Mamaduke Holdsworth
Clerk