

**CITY OF CYNTHIANA
ORDINANCE NO. 1647**

AN ORDINANCE CONFIRMING THE SALE AND AWARDING A NON-EXCLUSIVE FRANCHISE TO KENTUCKY UTILITIES CORPORATION FOR A TERM OF TEN (10) YEARS FOR ELECTRIC FRANCHISE FOR THE PLACEMENT OF FACILITIES FOR THE TRANSMISSION, DISTRIBUTION AND SALE OF ELECTRICAL ENERGY ALONG AND UNDER THE PUBLIC RIGHT-OF-WAY WITHIN THE CITY OF CYNTHIANA, KENTUCKY, IN RETURN FOR WHICH FRANCHISEE SHALL PAY TO THE CITY AN ANNUAL SUM EQUAL TO THREE PERCENT (3%) OF THE GROSS REVENUES DERIVED FROM THE FRANCHISE AWARDED HEREIN.

WHEREAS, Ordinance No. 1640 adopted by the Cynthiana City Commission on April 4, 2023 provided for the creation and sale of a non-exclusive franchise, for a term of ten (10) years to acquire, lay, maintain, operate, enter upon, construct, install, use and repair, in the public right-of-way of the City, a system or works for the generation, transmission and distribution of electrical energy from points either within or without the corporate limits of this City, to the City and the inhabitants thereof, and from and through the City to persons, corporations and municipalities beyond the limits thereof, and for the sale of same for light, heat, power and other purposes; and

WHEREAS, said Ordinance also established a sealed bid process which includes advertising to invitation for bids, and awarding the franchise to the successful bidder(s); and

WHEREAS, after publication of said advertisement and Ordinance on April 13, 2023, bids were received from Kentucky Utilities Corporation and Blue Grass Energy Cooperative Corporation, both of which were in acceptable form and proposed to pay to the City a sum equal to three percent (3%) of the gross revenues derived from the franchise to be awarded, and

WHEREAS, the franchise to be awarded is a non-exclusive franchise and both Kentucky Utilities and Blue Grass Energy Cooperative Corporation conduct business within the City of Cynthiana pursuant to territories which have been established and approved by the Kentucky Public Service Commission, and

WHEREAS, it is appropriate to award a non-exclusive franchise to Kentucky Utilities Corporation and a non-exclusive franchise to Blue Grass Energy



Cooperative Corporation in order that both entities may continue their business within the boundaries of the City of Cynthiana on the same terms and conditions,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF CYNTHIANA, KENTUCKY AS FOLLOWS:

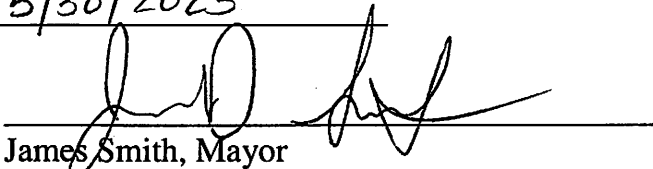
SECTION 1: That a non-exclusive electric franchise created by Ordinance No. 1640 be, and it hereby is, awarded to Kentucky Utilities Corporation for an annual sum equal to three percent (3%) of the gross revenues derived from the franchise awarded herein as set out in the Ordinance and which shall be payable to the City of Cynthiana, Kentucky, on a quarterly basis.

SECTION 2: To the extent that any prior ordinances, municipal orders, or policies or parts thereof are in conflict with the terms of Ordinance No. 1640 or the terms of this Ordinance, they are, to the extent of such conflict, hereby repealed.

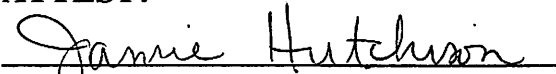
SECTION 3: This Ordinance shall be effective July 1, 2023 upon passage, approval and publication as required by law.

First reading and approval: May 16, 2023

Second reading and passage: 5/30/2023


James Smith, Mayor

ATTEST:


Jamie Hutchison, City Clerk

RECEIVED

7/3/2023

PUBLIC SERVICE
COMMISSION
OF KENTUCKY