



HONORABLE CITY COUNCIL  
CITY OF CRESTVIEW HILLS, KY

BID FOR GAS FRANCHISE

In response to your offer contained in Ordinance No. 1995-9-2 passed by you  
on April 11, 1996, entitled:

AN ORDINANCE PROVIDING FOR THE LETTING AT PUBLIC BIDDING OF A FRANCHISE, RIGHT AND PRIVILEGE OF ENTERING IN AND UPON THE STREETS, ALLEYS AND HIGHWAYS AND PUBLIC PLACES OF THE CITY OF CRESTVIEW HILLS, A MUNICIPAL CORPORATION OF THE FOURTH CLASS SITUATED IN KENTON COUNTY, KENTUCKY, TO CONSTRUCT, RECONSTRUCT, LAY, ERECT, EXTEND, OPERATE, MAINTAIN, REPAIR, REPLACE, ADJUST AND REMOVE MAINS, PIPES, REGULATORS, APPARATUS, FIXTURES AND EQUIPMENT FOR THE TRANSMISSION AND DISTRIBUTION OF GAS FOR TWENTY YEARS TO PROVIDE THE TERMS AND CONDITIONS OF GRANTING SUCH FRANCHISE, RIGHT AND PRIVILEGE TO THE HIGHEST AND BEST BIDDER.

In compliance with the provisions of Section 3 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: \_\_\_\_\_

*James T. Dugan*

TARIFF BRANCH

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10/18/2012

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ORDINANCE NO. 1995-9-2a

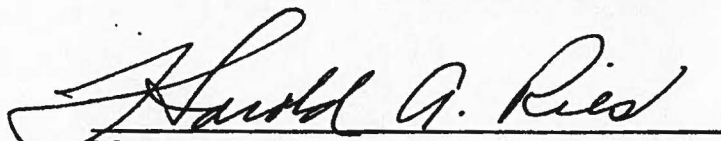
ACCEPTING THE BID OF THE UNION LIGHT,  
HEAT AND POWER COMPANY AS HIGHEST AND  
BEST BIDDER UNDER ORDINANCE NO. 1995-9-2a

THE CITY COUNCIL OF THE CITY OF CRESTVIEW HILLS DOES ORDAIN AS  
FOLLOWS:

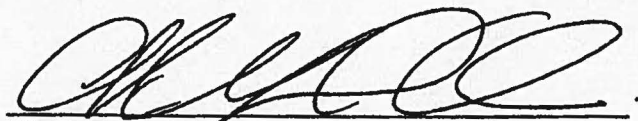
SECTION 1. That The Union Light, Heat and Power Company is the highest and best bidder of the sale of the franchise granted by Ordinance No. 1995-9-2 passed by the City Council of the City of Crestview Hills, at its regular meeting held on the 9 day of MAY, 1996, and that the bid of such Company is accepted 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 9 day of MAY, 1996

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Clerk

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COMMISSION  
OF KENTUCKY

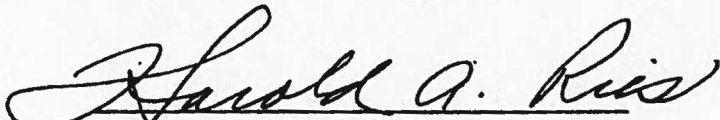
STATE OF KENTUCKY

COUNTY OF KENTON

CITY OF CRESTVIEW HILLS

I, C.R. Monhous, Clerk of the City of Crestview Hills,  
Kenton County, Kentucky, do hereby certify that the foregoing bid of  
The Union Light, Heat and Power Company is a true and correct copy of said bid, filed  
with the records of the City of Crestview Hills, under Ordinance No. 1995-9-2 passed  
the 9 day of MAY, 1996, and recorded in the official journal of  
said City.

Given under my hand and the seal of the City of Crestview Hills,  
Kenton County, Kentucky, this 9 day of MAY,  
1996.

  
Mayor

ATTEST:

  
Clerk



ORDINANCE NO. \_\_\_\_\_

GRANTING AND OFFERING FOR SALE A 20-YEAR EXCLUSIVE  
FRANCHISE TO PLACE GAS TRANSPORTATION AND DISTRIBUTION  
FACILITIES IN PUBLIC STREETS OF THE CITY OF  
CRESTVIEW HILLS, KENTON COUNTY, KENTUCKY.

THE CITY COUNCIL OF THE CITY OF CRESTVIEW HILLS, DOES ORDAIN  
AS FOLLOWS:

*[Handwritten signature]*

Section 1. The City of Crestview Hills, 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, lay, erect, extend, operate, use, maintain, abandon, repair, replace and remove (herein collectively called install or installation) mains, pipes, apparatus, fixtures and equipment for the distribution of gas (herein collectively called facilities) within, along, under and across public streets, alleys, ways, places and grounds of the City (herein collectively called public property). Such distribution shall include the transportation of gas into, through and out of the City and transportation terminating within the City. 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 the City, located within the boundaries of 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 from the Mayor of the City Council, move or relocate the same within the 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 any 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. 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 gas service from its facilities to the City and its inhabitants at such rates and under such conditions, including limitations on available supply, as may be applicable and effective from 10/18/2012

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time throughout the franchise period, as set forth in its filings with the Public Service Commission of Kentucky, and in the rules, regulations, sales policy and service requirements thereof. The gas to be supplied shall be as received by the successful bidder from its sources of supply, both as to kind and quality, except as such gas may from time to time be modified or supplemented through the operation of its production plants.

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

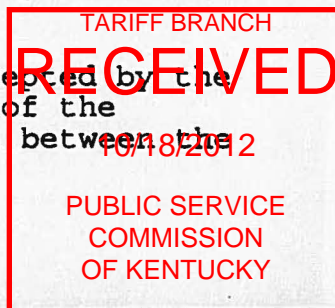
Section 4. The successful bidder shall defend and indemnify the City against any suit or claim for any expense or liability whatsoever by reason of the sole negligence of the successful bidder.

Section 5. If the successful bidder is unable to secure or resecure from other political subdivisions such rights are necessary for the construction or operation of facilities reasonably needed to provide gas 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 the necessary 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 gas to the City and all of its inhabitants qualifying for the same, as set forth under Section 2 hereof, within 18 months after such date, or this franchise period 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 gas service under K.R.S. S278.010 and any succeeding section. The word City means the City of Crestview Hills, Kenton 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 of the City at its regular meeting to be held at \_\_\_\_\_ P.M. on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_. Each bid shall be sealed and marked "Bid for Gas Franchise," and shall be opened by City Council at such regular meeting.

Section 8. This Ordinance and the bid accepted by the Board of Trustees 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 \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Clerk



THE CINCINNATI ENQUIRER  
THE CINCINNATI POST  
THE KENTUCKY POST

APR 29 AM

312 ELM STREET  
CINCINNATI, OHIO 45202-2754  
(513) 721-2700  
AFFIDAVIT

( CASE NUMBER ) C. R. MONH  
( CAPTION COPY ) ORD. # 1995-9-2  
( QUOTED COST ) \$52.05  
( AD # ) 30069

STATE OF OHIO, SS.  
HAMILTON COUNTY,

PERSONALLY APPEARED BEFORE ME,

A NOTARY PUBLIC, IN AND FOR HAMILTON  
COUNTY, OHIO ... *John Burnett*

WHO, BEING DULY SWORN, SAYS THAT THE  
ANNEXED ADVERTISEMENT WAS PUBLISHED  
IN THE  
KENTUCKY POST

DAILY NEWSPAPERS 1 TIMES TO WIT:

... *April 25, 1996* .....

*John Burnett*  
.....  
AFFIANT

SWORN TO AND SUBSCRIBED BEFORE ME THIS

... *26* DAY OF *April* 1996

*Anita L. Alexander*  
.....  
NOTARY PUBLIC

ANITA L. ALEXANDER  
Notary Public, State of Ohio  
My Commission Expires Aug. 7, 2000

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A WORLD OF DIFFERENT VOICES  
WHERE FREEDOM SPEAKS

606 341 6993