

ORDINANCE NUMBER 87-09

AN ORDINANCE TO GRANT AN EXCLUSIVE  
FRANCHISE TO DUCK RIVER ELECTRIC MEMBERSHIP  
CORPORATION TO PROVIDE ELECTRIC ENERGY  
AND RELATED SERVICES WITHIN THE CORPORATE  
LIMITS OF THE TOWN OF SPRING HILL, TENNESSEE

BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF SPRING HILL, TENNESSEE, that an exclusive Franchise to provide electric energy and related services within the corporate limits of the Town of Spring Hill, Tennessee, is hereby granted to the Duck River Electric Membership Corporation of Shelbyville in the county of Bedford, Tennessee, in accordance with the following provisions:

1. Duck River Electric Membership Corporation shall be entitled to continue to provide central station electrical energy for those geographic sections of the Town in which it has provided service in the past, both for homes and businesses presently served and for any new homes or businesses, constructed in the future.

2. When Spring Hill annexes new geographic areas in which Duck River Electric Membership Corporation presently provides electrical service, Duck River Electric Membership Corporation will have the right and obligation to continue to provide electrical service to those consumers and to any new homes or businesses constructed in those areas.

3. Duck River Electric Membership Corporation will provide electrical energy for lighting, heating, power and all other purposes for which electric energy may be used now or hereafter, in accordance with standard cooperative policies and will construct and maintain its transmission and distribution power line facilities in keeping with recognized overhead and underground standards for constructing power lines over, across, above, under, through and upon public streets, alleys, lanes, bridges, viaducts, and other public ways and places in the Town of Spring Hill.

4. The Town of Spring Hill grants unto Duck River Electric Membership Corporation such permission, right, authority, easement, privilege and franchise to construct, maintain, operate and conduct such system of power lines as will be necessary to adequately furnish, supply and distribute to the Town of Spring Hill, its inhabitants and businesses said electric energy for lighting, heating, power and all other related electric purposes; further, the Town of Spring Hill grants permission to Duck River Electric Membership Corporation to construct its high voltage transmission and distribution power lines and facilities overhead, above ground, and on road rights-of-way to the extent necessary and practicable. Duck River Electric Membership Corporation will provide underground electric

service upon request where such service is deemed financially feasible and reasonable in accordance with the cooperative's then existing standard policies for supplying said underground services.

5. The term of this Franchise shall be perpetual; provided, however, that if the Town, during the Franchise period, determines to establish its own electrical department, it can purchase the facilities of Duck River Electric Membership Corporation within its corporate limits in accordance with the provision of Section 6-51-112 of the Tennessee Code Annotated.

6. Duck River Electric Membership Corporation shall at all times during the existence of this Franchise furnish electric service to all persons and organizations, public or private, without discrimination and at reasonable rates.

7. Duck River Electric Membership Corporation agrees to comply with all reasonable ordinances and regulations that are or may be prescribed by the Town of Spring Hill with respect to the construction and maintenance of all of its electrical facilities.

8. This Franchise is granted pursuant to the laws of the State of Tennessee relating to the granting of such rights and privileges by municipal corporations. If any section, sentence, clause, or phrase of this ordinance is or for any reason held illegal, invalid, or unconstitutional, such invalidity shall not affect the validity of the ordinance or any of the remaining portions.

PASSED AND ADOPTED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF SPRING HILL, TENNESSEE, on this the 18<sup>th</sup> day of May, 1987.

George Jones  
GEORGE JONES, MAYOR

ATTEST:

June Quirk  
JUNE QUIRK, CITY RECORDER

LEGAL FORM APPROVED:

Robin Courtney  
ROBIN COURTNEY - TOWN ATTORNEY

Passed on 1st reading: 4-20-87

Passed on 2nd reading: 4-27-87

Passed on 3rd reading: 5-18-87