

AN ORDINANCE TO GRANT A NON-EXCLUSIVE
FRANCHISE TO COLUMBIA POWER SYSTEM
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 ALDERMAN OF THE TOWN OF SPRING HILL, TENNESSEE, that a non-exclusive Franchise to provide electric energy and related services within certain areas of the corporate limits of the Town of Spring Hill, Tennessee, is hereby granted to the Columbia Power System of Columbia in the County of Maury, Tennessee, in accordance with the following provisions:

1. Columbia Power System 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 Columbia Power System presently provides electrical service, Columbia Power System 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. Within areas serviced by it, Columbia Power System 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 Columbia Power System 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 Columbia Power System such non-exclusive 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 its service areas within the Town of Spring Hill, its inhabitants and businesses located therein said electric energy for lighting, heating, power and all other related electric purposes; further, the Town of Spring Hill grants permission to Columbia Power System to construct facilities overhead, above ground, and on road rights-of-way to the extent necessary and practicable. Columbia Power System will provide underground electric service upon request where such service is deemed financially feasible and reasonable in accordance with Columbia Power System'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 Columbia Power System within its corporate limits in accordance with the provision of Section 6-51-112 of the Tennessee Code Annotated (both parties hereby agree that said statute shall govern the purchase of the facilities of Columbia Power System, a municipal electric system, even though said statute relates to cooperative electric systems).

6. Columbia Power System 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. Columbia Power System 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 non-exclusive 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 shall be held illegal, invalid, or unconstitutional, such invalidity shall not affect the validity of the ordinance or any of the remaining portions.

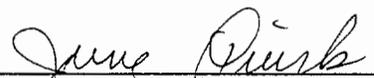
9. No rights are hereby granted to Columbia Power System to operate within areas serviced by Middle Tennessee Electric or Duck River Electric Corporations.

PASSED AND ADOPTED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF SPRING HILL, TENNESSEE, on this the 18 day of September, 1989.



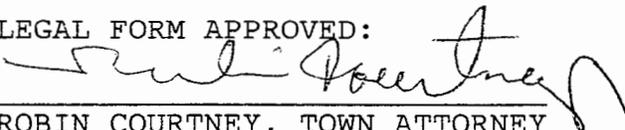
R. P. (PETE) BOYD

ATTEST:



JUNE QUIRK, CITY RECORDER

LEGAL FORM APPROVED:



ROBIN COURTNEY, TOWN ATTORNEY

Passed on 1st reading: 7-17-89

Passed on 2nd reading: 7-21-89

Passed on 3rd reading: 9-18-89