

### **279.110 General powers of rural electric cooperative corporations.**

Any corporation created under this chapter may:

- (1) Acquire and hold any property necessary or incidental to the proper conduct of its business, including preferred stock and common stock or other corporations whether formed under this chapter or not, and the stock of any federal agency, and may pay for any such property in cash, property or on credit, or both, and secure and procure payment of all or any part of the purchase price thereof on such terms and conditions as its board of directors determines;
- (2) Acquire, own, operate, maintain and improve one (1) or more systems;
- (3) Pledge all or part of its revenue or mortgage or encumber all or any part of its property for the purpose of securing the payment of the principal and interest of any of its obligations;
- (4) Have and exercise the right of eminent domain in the manner provided in the Eminent Domain Act of Kentucky;
- (5) Construct, own, lease, operate, and control any facilities across, along, or under any street or public highway, and over any lands belonging to this state or to any county, city, or political subdivision of this state, but shall restore any such street or highway to its former condition as nearly as possible and shall not use it in such a manner as to impair unnecessarily its usefulness;
- (6) Accept gifts and grants of money or property from this state, any county, city, or political subdivision of this state, any federal agency, or any other person, and accept voluntary and uncompensated services;
- (7) Make any contract necessary or convenient for the full exercise of the powers granted by this chapter, or for any other corporate purpose, subject to any limitations imposed by this chapter;
- (8) Sell, lease, or dispose of all or any part of its property, subject to the provisions of KRS 279.140;
- (9) Contract debts, borrow money without limitation as to the amount of corporate indebtedness or liability, and issue or assume obligations;
- (10) Fix and collect reasonable rates and charges for services, subject to the provisions of KRS Chapter 278;
- (11) Assist its members in wiring their premises for the use of electric energy and in purchasing electrical equipment, appliances, and supplies, and in financing such activities;
- (12)
  - (a) Establish affiliates to engage in nonregulated businesses or activities as provided for in KRS 279.020.
  - (b) A cooperative formed under this chapter shall annually report to its member-owners the nature of the nonregulated business or activity, its financial status and future expectations, as well as any other information deemed appropriate by its board of directors. The cooperative shall file with the Public Service Commission a balance sheet and income statement for each nonregulated business or activity, if the cooperative has established a separate affiliate to

engage in nonregulated business or activity.

- (c) If the cooperative's nonregulated activities are conducted within the cooperative pursuant to a contract with a federal military installation or a local, state, or federal government as provided for in KRS 279.020, a balance sheet and statement of revenues and expenses for each nonregulated business or activity shall be filed with the Public Service Commission.
  - (d) The information to be filed with the Public Service Commission shall be filed simultaneously with the Public Service Commission annual report. The cooperative may request confidentiality for any information it provides as required in this subsection that it deems proprietary or competitive; and
- (13) Do anything not specifically set forth in this section that is reasonably deemed necessary, proper, or convenient for the accomplishment of the purposes of the corporation and is not prohibited by law.

**Effective:** July 12, 2006

**History:** Amended 2006 Ky. Acts ch. 114, sec. 2, effective July 12, 2006. -- Amended 1976 Ky. Acts ch. 140, sec. 114, effective June 19, 1976. -- Amended 1972 Ky. Acts ch. 11, sec. 3, effective June 16, 1972. -- Amended 1962 Ky. Acts ch. 68, sec. 1. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 883j-7, 883j-8.