

281.6251 Notice of intention to apply for certificate.

- (1) Notwithstanding the provisions of KRS 13B.050, any person, partnership, limited partnership, corporation, limited liability company, or any other entity applying for a certificate in accordance with KRS 281.625 shall advertise his or her intention to apply for a certificate by using one (1) of the following methods:
 - (a) Publication of a public notice under KRS 424.130(1)(b). The applicant shall cause the notice to be published once a week for three (3) consecutive weeks in a prominent manner in a newspaper of general circulation in the proposed territory, the first publication to be made within seven (7) days of the filing of the application with the cabinet; or
 - (b) Correspondence by electronic mail with every existing certificate holder affected by the application giving notice of the intention to apply for a certificate.
- (2) The notice required under this section shall conform in all material respects to the following requirements:
 - (a) The notice shall state:
 1. The name and address of the applicant if the applicant is an individual;
 2. The name and address of each partner and the name and address of the business if the applicant is a partnership or limited partnership;
 3. The name and address of each principal officer and director and the name and business address of the corporation if the applicant is a corporation; or
 4. The name and address of each member and each manager if the applicant is a limited liability company;
 - (b) The notice shall specifically describe the proposed route or territory for which the certificate is sought and the type of certificate being requested; and
 - (c) The notice shall state the date the application will be filed and shall contain the following statement: "Any person who has an interest in the granting of a certificate in the territory sought to be served may protest the granting of the certificate by writing the Transportation Cabinet, Office of Legal Services, 200 Mero Street, Frankfort, Kentucky 40622, within thirty (30) days of the date of legal publication."

Effective: June 25, 2013

History: Amended 2013 Ky. Acts ch. 106, sec. 8, effective June 25, 2013. -- Created 2012 Ky. Acts ch. 139, sec. 4, effective July 12, 2012.