



KENTUCKY PROPANE GAS ASSOCIATION, INC.

512 Capitol Avenue, Frankfort, KY 40601
Phone: (502) 875-2686 Fax: (502) 875-1595
Website: kypropane.org

2011 MEMBER APPLICATION FORM

Each member shall designate one individual below to be the voting accredited representative to the Association. This individual will be the primary contact with the Association and will be listed in the KPGA Membership Directory.

Company Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Contact Name or Manager: _____

Phone Number: _____ Fax Number: _____

Email: _____ Website: _____

County: _____

Complete below for all additional bulk plant locations or to add individuals to the mailing list.
Use additional sheets of paper if necessary.

Company Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Contact Name or Manager: _____

Phone Number: _____ Fax Number: _____

Email: _____ Website: _____

County: _____ Is this a Staffed Location or Satellite? _____

TYPE OF MEMBERSHIP (please check one): **Marketer** **Associate** **Individual**

Check # _____: Make payable to the Kentucky Propane Gas Association or KPGA

Credit Card: VISA MasterCard AMEX Discover

Card Number: _____ Exp. Date: _____

Print Name on card: _____ Signature: _____

I hereby apply for membership in the Kentucky Propane Gas Association, certifying that I meet the requirements of membership as set forth in Article IV of the KPGA Constitution and Bylaws (PLEASE SEE OTHER SIDE OF APPLICATION) and further certifying that I have read and understand Article IV and Article V of the KPGA Constitution and Bylaws regarding membership in the organization. Our remittance of \$ _____ covering one year's membership dues is paid herewith.

Applicant Signature

Date of Application

ARTICLE IV AND ARTICLE V OF KPGA CONSTITUTION AND BYLAWS:

ARTICLE IV - MEMBERSHIP -

Section 1 - Membership in this Association shall be Marketer, Associate, Young Gasser, Individual, Honorary and Charter.

Section 2 - (a.) All Marketer Members shall be members in good standing of the National Propane Gas Association, or its successor, in order to qualify for membership or continued membership in this Association.

(b) Marketer membership shall be open to any person or entity who is engaged in retail propane sales directly to the ultimate consumer in the Commonwealth of Kentucky. Such membership shall be subject to the terms and conditions established by the Board of Directors of the Association.

(c) Membership of this class entitles the holder to designate one representative per outlet to full unreserved rights to vote on all issues, to hold office and to participate in all Association activities.

Section 3 - (a) Associate membership shall be open to any person or entity who wholesales propane, provides common carrier transportation of propane, wholesales and/or manufacturers propane appliances and/or service equipment and persons or entities who purchase or sell products or services directly related to the propane industry. Any firm connected to the propane industry who does not qualify for Marketer Membership, may qualify for Associate Membership subject to such terms and conditions as may be established by the Board of Directors.

(b) Membership in this class entitles the holder to the full and unreserved rights to vote on all issues, to hold office and to participate in all Association activities except as may specifically be limited by this Constitution. Associate members shall not have a vote for the election of District Directors.

(c) Members of this class may serve as members of the Board of Directors, members and chairs of committees and as officers of the Association as provided in Article VIII.

Section 4 - Individual membership is open to any individual employed by an Active member or retired from an Active member who supports the purposes of the Association and who is no longer active in the industry. Such membership shall be subject to the terms and conditions established by the Board of Directors of the Association.

(a) Members of this class shall have access to all meetings, gatherings and conventions; shall be entitled to hold membership on Association committees; and may use the "emblem" of the association on their personal stationary and personal card with the word "member" beneath it. Individual members may not use the "emblem" on any business or company material, unless the business or company is a member of the Association.

(b) Individual members shall have the rights of membership except they may not vote or hold office as a director or officer, nor may they be a committee chair.

Section 5 - Honorary membership may be conferred by majority vote of the Board of Directors upon those individuals or firms that have performed outstanding, meritorious service to the propane gas industry or the Association. Officials of the state or nation who have demonstrated exemplary interest in the welfare and progress of the industry may be designated as Honorary members by a majority of the Board of Directors. Honorary members shall have the rights of membership except they may not vote or hold office as a director or officer, nor may they be a committee chair.

Section 6 - Charter membership shall be guaranteed to all persons or firms who became Marketer or Associate members of the Association prior to October 1, 1947. Their membership certificate shall bear an appropriate indication of such status.

Section 7 - Young Gasser membership shall be open to any member who meets the qualifications set forth by the Young Gasser section, provided they qualify for Marketer or Associate membership under the requirements set forth in this Constitution and as established by the Board of Directors.

Section 8 - All members of all categories of membership shall apply for membership for all propane related business entities in which such member or its officers, shareholders or directors own a combined interest of more than twenty-five (25%) percent in such propane related entity. The Board of Directors of the Association shall be the final arbiter of such memberships and may establish terms and conditions for compliance with this Section 8

Section 9 – Government-subsidized monopolies -and their subsidiaries and affiliates- that leverage that monopoly in the retail propane market are ineligible for membership.

(a.) Leveraging a government-subsidized monopoly in the retail propane market includes, but is not limited to, the following anticompetitive practices: cross-subsidization, cost-shifting, consumer misinformation, and/or attempted monopoly of markets for home and water heating fuels.

(b.) Any subsidiary or affiliate of a government-subsidized monopoly that is deemed ineligible for membership by this requirement may appeal to the Board of Directors and shall be afforded a reasonable opportunity to demonstrate that its operations in the retail propane market do not include, and are not benefited by, any anticompetitive practices as proscribed by this section.

Section 10 - Lawyers, law firms and consultants who are primarily in business to provide expert testimony will not be eligible for membership.

ARTICLE V - MEMBERSHIP APPLICATIONS -

Section 1 - Applications for membership shall be received and processed by the Executive Director of the Association, providing all membership requirements as set forth in the Association's Constitution are satisfied. Such application shall be submitted to the Board of Directors for approval at the next succeeding board meeting and shall be subject to such terms and conditions as the Board may establish and in conformance with the Constitution.

Section 2 - The Board of Directors has the absolute and sole authority to determine eligibility for membership in the Association and the class of membership therein. All rules of administration, retention of or termination of memberships, shall be enforced uniformly by the Board of Directors as to all members and applicants.