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Case Management System - KY Public Service Commission*Regular Cases Before the Commission as of February 26, 2025***2022-00105**

RECEIVED: 02/28/22

FILED: 02/28/22

FINAL: 12/28/22

REOPENED:

SUSPENSION DATE: 08/31/22

CASE NATURE: Investigation of the Proposed Pole Attachment Tariffs of Investor Owned Electric Utilities

CASE CODE

Tariffs

INDEX OF EVENTS:

- 10/14/24 POST CASE: Lerah Kahn Kentucky Power Company Kentucky Power Company's response to the Commission's September 13, 2024 Order
- 10/14/24 POST CASE: Minna Sunderman Duke Energy Kentucky, Inc. Duke Energy Kentucky, Inc.'s Redacted Joint Use Agreements
- 10/14/24 POST CASE: Rick E. Lovekamp Louisville Gas and Electric Company and Kentucky Utilities Company LGE and KU file redacted versions of Joint-Use Agreements pursuant to Ordering Paragraph No. 7 of the Commission's Order dated September 13, 2024
- 09/13/24 Order Entered: 1. The petitions for confidential treatment filed by Duke Kentucky and LG&E/KU, and the motion filed by Kentucky Power on June 2, 2022, for their joint use agreements are granted, in part, for all material, negotiated, or pricing terms as set forth above. 2. The petitions for confidential treatment filed by Duke Kentucky and LG&E/KU and the motion filed by Kentucky Power on June 2, 2022, for their joint use agreements are denied for any non-material or boiler plate terms. 3. The designated material granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for ten years or until further order of this Commission. 4. Use of the designated material granted confidential treatment by this Order in any Commission proceeding shall comply with 807 KAR 5:001, Section 13(9). 5. The designated material denied confidential treatment by this Order is not exempt from public disclosure and shall be placed in the public record and made available for public inspection. 6. If Duke Kentucky, LG&E/KU, or Kentucky Power objects to the Commission's determination that the requested material not be granted confidential treatment, it must seek either rehearing pursuant to KRS 278.400 or judicial review of this Order pursuant to KRS 278.410.
- 12/28/22 Final Order Entered: 1. Duke Kentucky pole attachment tariff is approved as proposed for service rendered on and after the date of this Order. 2. LG&E, KU, and Kentucky Power's proposed tariffs are approved for service rendered on and after the date of this Order with the following modifications: a. Section 14.c. of LG&E's tariff, Section 14.c of KU's tariff, and Section 13 are not approved and shall be removed from each utilities respective tariff; b. LG&E/KU's application review fees of \$75 for wireline attachments and \$200.00 for wireless attachments are approved as proposed, but in an effort to be fully transparent, LG&E/KU shall add language to their tariffs indicating that the application review fees will be refunded or credited to the new attachers if the amount of the prepayment of application review fees exceeds the actual costs of the work performed by LG&E/KU; c. Kentucky Power's make-ready survey fee of \$275 per pole is approved, but Kentucky Power shall add language to its tariff indicating that the make-ready survey fee will be refunded or credited to the new attachers if the amount of the prepayment of the make-ready survey fee exceeds the actual costs of the work performed by Kentucky Power;
- 10/18/22 M Todd Osterloh Kentucky Broadband and Cable Association Reply Brief
- 10/18/22 Michael E. Hornung LGE and KU Pursuant to ordering paragraph two (2) of the Commission's Order dated September 23, 2022, in the above-referenced case, filed herewith is Kentucky Utilities Company's and Louisville Gas and Electric Company's response brief
- 10/18/22 Michaela Flewallen ATT Kentucky ATT's Response to Initial Brief in Case No. 2022-00105
- 10/18/22 Deborah L Gates Larisa Vaysman Duke Energy Kentucky, Inc. hereby submits its Reply Brief in case 2022-0105
- 10/18/22 Lerah M Scott Kentucky Power Company Response Brief of Kentucky Power Company
- 10/11/22 M Todd Osterloh Kentucky Broadband and Cable Association Initial Brief
- 10/11/22 Scott E. Bishop Kentucky Power Company Kentucky Power Company filing Initial Brief in Support of Revised Tariff.
- 10/11/22 Michael E. Hornung LGE and KU LGE and KUs initial brief related to the PSA Tariff Review.
- 10/11/22 Deborah L Gates Larisa Vaysman Duke Energy Kentucky, Inc.'s Brief
- 09/23/22 Order Entered: 1. Any initial brief shall be filed no later than October 11, 2022. 2. Any response brief shall be filed no later than October 18, 2022. 3. Upon the filing of response briefs, the case shall stand submitted to the Commission for a decision.

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07/18/22 M Todd Osterloh Kentucky Broadband and Cable Association Request for Briefing Schedule
07/18/22 Michaela Flewallen ATT Kentucky ATT Kentuckys Position Statement Regarding Hearing and Briefing

07/18/22 Scott E. Bishop Kentucky Power Company Filing Joint Statement Regarding Hearing and Briefing on behalf of Kentucky Power Company, Louisville Gas and Electric, Kentucky Utilities Company and Duke Energy Kentucky, Inc.

07/11/22 Michael E. Hornung LGE and KU Please find enclosed and accept for filing Kentucky Utilities Company's ("KU") and Louisville Gas and Electric Company's ("LGE") Rebuttal Testimony.

07/11/22 Scott E. Bishop Kentucky Power Company Rebuttal Testimony of Christopher F. Tierney on Behalf of Kentucky Power Company and Duke Energy Kentucky, Inc.

07/11/22 Minna Sunderman Larisa M. Vaysman Duke Energy Kentucky, Inc.s Rebuttal Testimony of Jeremy B. Gibson

07/11/22 Scott E. Bishop Kentucky Power Company Kentucky Power Company filing Rebuttal Testimony of Pamela F. Ellis.

07/07/22 M Todd Osterloh Kentucky Broadband and Cable Association Response to LGE-KU RFI
07/07/22 M Todd Osterloh Kentucky Broadband and Cable Association Response to Kentucky Powers RFI
07/07/22 M Todd Osterloh Kentucky Broadband and Cable Association Response to Duke Kentuckys RFI
07/07/22 M Todd Osterloh Kentucky Broadband and Cable Association Response to Commission Staffs RFI
07/07/22 Scott E. Bishop Kentucky Power Company Kentucky Power Company filing responses to Commission Staffs Third Set of Data Requests dated June 23, 2022.

07/07/22 Michaela Flewallen ATT Kentucky ATT Kentucky Response to Staff Requests for Information
07/07/22 Michaela Flewallen ATT Kentucky ATT Kentucky response to Duke Energy
07/07/22 Michaela Flewallen ATT Kentucky ATT Kentucky Response to Kentucky Power Requests for Information

07/07/22 Michaela Flewallen ATT Response to LGE-KU Requests for Information
07/07/22 Michael E. Hornung LGE and KU LGE and KUs Responses to Commission Staff's Third Request for Information

06/30/22 Order Entered: Kentucky Power's motion to strike is denied.

06/27/22 M Todd Osterloh Kentucky Broadband and Cable Association Opposition to Motion to Strike Kravtin Testimony

06/23/22 Deborah Gates Larisa Vaysman Duke Energy Kentucky, Inc.s first request for information to KBCA
06/23/22 Deborah Gates Larisa Vaysman Duke Energy Kentucky, Inc.s first request for information to ATT Kentucky

06/23/22 Michael E. Hornung LGE and KU LGE and KUs Requests for Information to the Kentucky Broadband and Cable Association ("KBCA")

06/23/22 Michael E. Hornung LGE and KU LGE and KUs Requests for Information to Bellsouth Telecommunications, LLC d/b/a ATT Kentucky ("ATT")

06/23/22 Lerah M Scott Kentucky Power Company Kentucky Power Companys requests for information to KBCA

06/23/22 Lerah M Scott Kentucky Power Company Kentucky Power Companys requests for information to ATT
06/23/22 COMMISSION STAFF'S THIRD REQUEST FOR INFORMATION TO LOUISVILLE GAS AND ELECTRIC COMPANY AND KENTUCKY UTILITY COMPANY
06/23/22 COMMISSION STAFF'S THIRD REQUEST FOR INFORMATION TO KENTUCKY POWER COMPANY
06/23/22 COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO KENTUCKY BROADBAND AND CABLE ASSOCIATION
06/23/22 COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO AT&T KENTUCKY

06/21/22 Michael E. Hornung LGE and KU LGE and KUs combined response to Kentucky Power Company's Motion to Strike Testimony of Patricia D. Kravtin.

06/21/22 Deborah Gates Rocco DAscenzo Duke Energy Kentucky Inc.s letter in support of KY Powers Motion to Strike Testimony of Patricia D. Kravtin

06/20/22 Lerah M Scott Kentucky Power Kentucky Power Companys motion to strike testimony of Patricia D. Kravtin

06/10/22 Michael E. Hornung LGE and KU LGE and KU submission of a Verification Page for Christopher Garrett which was not included in the Companies' previously filed Responses to Commission Staff's Second Request for Information

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06/09/22 Michaela Flewallen ATT Kentucky ATT Kentucky testimony in Case 2022-00105

06/09/22 M Todd Osterloh Kentucky Broadband and Cable Association Testimony

06/03/22 Order Entered: 1. KBCA's motion is denied to the extent it sought to amend the procedural schedule to establish deadlines for filing legal briefs with intervenor and rebuttal testimony. 2. Parties shall jointly or separately state their positions, if any, regarding briefing, including the order and timing of briefing, on or before July 18, 2022.

06/02/22 Scott E. Bishop Kentucky Power Company Kentucky Power Company filing responses to KBCA Second Set of Data Requests dated May 19, 2022.

06/02/22 Scott E. Bishop Kentucky Power Company Kentucky Power Company file response to Commission Staffs Second Set of Data Requests dated May 19, 2022, Motion for Confidential Treatment and attachment.

06/02/22 Andrea M. Fackler Kentucky Utilities Company and Louisville Gas and Electric Company KU and LGEs Responses to Kentucky Broadband and Cable Associations Supplemental Request for Information

06/02/22 Andrea M. Fackler Kentucky Utilities Company and Louisville Gas and Electric Company KU and LGEs Responses to Commission Staff's Second Request for Information

06/02/22 Deborah Gates Larisa Vaysman Duke Energy Kentucky, Inc. hereby submits Staffs second set of responses

05/19/22 M. Todd Osterloh Kentucky Broadband and Cable Association Supplemental Requests for Information

05/19/22 COMMISSION STAFF'S SECOND REQUEST FOR INFORMATION TO LOUISVILLE GAS AND ELECTRIC COMPANY AND KENTUCKY UTILITIES COMPANY

05/19/22 COMMISSION STAFF'S SECOND REQUEST FOR INFORMATION TO KENTUCKY POWER COMPANY

05/19/22 COMMISSION STAFF'S SECOND REQUEST FOR INFORMATION TO DUKE ENERGY KENTUCKY, INC.

05/13/22 Order Entered: Paul Werner and Hannah Wigger are admitted pro hac vice for the purpose of representing KBCA in association with James W. Gardner in the above-styled proceeding, provided that James W. Gardner or another member of the Kentucky Bar Association acts as co-counsel and is present at all proceedings before this Commission.

05/12/22 M Todd Osterloh Kentucky Broadband and Cable Association Motion for Clarification

05/05/22 Deborah Gates Larisa Vaysman Duke Energy Kentucky, Inc.s First response to Commission Staffs 1st set of request for information

05/05/22 Michael E. Hornung LGE and KU LGE and KUs response to KBCAs initial data request.

05/05/22 Michael E. Hornung LGE and KU LGE and KUs response to the PSCs initial data request.

05/04/22 Scott E. Bishop Kentucky Power Company Kentucky Power Company filing Responses to Kentucky Broadband and Cable Associations First Set of Data Requests dated April 21, 2022.

05/04/22 Scott E. Bishop Kentucky Power Company Kentucky Power Company filing Responses to Commission Staffs First Set of Data Requests Dated April 21, 2022.

04/21/22 M Todd Osterloh Kentucky Broadband and Cable Association Request for Information

04/21/22 COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO LOUISVILLE GAS AND ELECTRIC COMPANY AND KENTUCKY UTILITIES COMPANY

04/21/22 COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO KENTUCKY POWER COMPANY

04/21/22 COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO DUKE ENERGY KENTUCKY, INC.

04/14/22 Scott E. Bishop Kentucky Power Company Kentucky Power Company filing a Response to the Objection of ATT and Kentucky Broadband Cable Association to the Revised Tariff P.A.

04/14/22 Michael E. Hornung LGE and KU LGE and KUs responses to the objections from KBCA and ATT related to the proposed amended Pole Attachment tariffs.

04/14/22 Minna Sunderman Rocco DAscenzo Duke Energy Kentucky, Inc.s Response to ATT Kentuckys and the Kentucky Broadband and Cable Associations Objections

04/08/22 M. Todd Osterloh Kentucky Broadband and Cable Association Motion to Admit Pro Hac Vice

04/06/22 Scott E. Bishop Kentucky Power Company Kentucky Power Company filing the Notice of Appearance and Compliance with the Commissions March 30, 2022 Order.

04/06/22 Michael E. Hornung LGE and KU LGE and KU - Notice of Appearance and Compliance with the Commissions Order dated March 30, 2022.

04/05/22 Michaela Flewallen ATT Kentucky ATT Kentucky Entry of Appearance

04/05/22 Minna Sunderman Rocco DAscenzo Duke Energy Kentucky, Inc.s Entry of Appearance

04/05/22 M. Todd Osterloh Kentucky Broadband and Cable Association Entry of Appearance

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03/30/22 Order Entered: 1. This proceeding is established to investigate the reasonableness of the proposed tariffs. 2. LG&E's, KU's, Duke Kentucky's, and Kentucky Power's proposed tariffs are suspended for five months from March 31,2022, up to and including August 31, 2022. 3. AT&T Kentucky and KBCA are made parties to this proceeding. 4. AT&T Kentucky's and KBCA's objections and comments filed in Case No. 2022-00064 are incorporated by reference into the records of this proceeding. 5. All parties shall, by counsel, enter an appearance in this proceeding within seven days of the date of entry of this Order. The entry of appearance shall include the name, address, telephone number, fax number, and electronic mail address of counsel. 6. Unless otherwise ordered by the Commission, the procedures set forth in 807 KAR 5:001, Section 8, related to service and electronic filing of papers shall be followed in this proceeding.

02/28/22 Louisville Gas and Electric Company Tariff Filing
02/28/22 Kentucky Power Company Tariff Filing
02/28/22 Kentucky Utilities Company Tariff Filing
02/28/22 Duke Energy Kentucky, Inc. Tariff Filing

Total Number of Cases: 1