

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF CLARK ENERGY COOPERATIVE,)
INC. FOR ROUTINE REVISION OF EXISTING CATV) CASE NO.
POLE ATTACHMENTS) 2004-00442

O R D E R

On December 30, 2004, Clark Energy Cooperative, Inc. ("Clark") petitioned the Commission to reconsider our December 21, 2004 decision denying Clark's request for permission to deviate from 807 KAR 5:001, Section 10(6)(n). 807 KAR 5:001, Section 10(6)(n), requires a utility requesting a rate adjustment to file a summary of its latest depreciation study.

In support of its petition, Clark states: (1) It cannot complete a depreciation study within the time frame set forth in our December 21, 2004 Order; (2) It was granted a similar deviation in its previous cable television pole attachment case; and (3) It anticipates that the cost of a depreciation study as part of this case would greatly exceed the anticipated increase in revenues from its proposed pole attachment charges. Clark further states that the depreciation rates used in this application are the same rates that the Commission approved in its last general rate case¹ and that Clark will file a complete depreciation study with its next general rate application.

¹ Case No. 2000-00529, Application of Clark Energy Cooperative, Inc. For Authorization to Increase CATV Attachment Rates (Ky. PSC May 7, 2001).

Based on the information provided and being otherwise sufficiently advised, the Commission finds that Clark's request to deviate from the requirements of 807 KAR 5:001, Section 10(6)(n), should be granted and that its application for an adjustment of its CATV rates should be accepted for filing as of the date of this Order. As Clark's application was not accepted for filing until the date of this Order, Clark may wish to file a new proposed tariff sheet pursuant to KRS 278.180.

IT IS THEREFORE ORDERED that:

1. Clark's petition for reconsideration is granted.
2. Clark's request for permission to deviate from the requirements of 807 KAR 5:001, Section 10(6)(n), is granted.
3. Clark's application is accepted for filing as of the date of this Order.

Done at Frankfort, Kentucky, this 19th day of January, 2005.

By the Commission

ATTEST:



Executive Director