

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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JAN - 3 2014

PUBLIC SERVICE
COMMISSION

IN THE MATTER OF:

FRANK MCANINCH

COMPLAINANT

V.

TAYLOR COUNTY RURAL ELECTRIC
COOPERATIVE CORPORATION

DEFENDANT

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CASE NO.
2013-00165

**TAYLOR COUNTY RURAL ELECTRIC COOPERATIVE
CORPORATION'S RESPONSE TO COMPLAINANT'S
SUPPLEMENTAL REQUEST FOR INFORMATION**

Taylor County Rural Electric Cooperative Corporation (Taylor County), acting consistent with this Court's interim Order entered on December 11, 2013, responds as follows to the Complainant's Supplemental Request for Information propounded herein.

Complainant's Requests numbered 1-22 are directed to matters which have no relevance in this proceeding, or about which Taylor County RECC has no information, or which request that Taylor County RECC undertake research, legal or otherwise, upon behalf of Complainant. Accordingly, Taylor County RECC asserts with respect to request numbers 1-22 a blanket objection to same.

REQUEST NO. 23: Where in the Taylor County RECC Tariff does it state you must own property to receive an electric service?

RESPONSE: Ownership of the property served is not a prerequisite to receiving service.

REQUEST NO. 24: How many services does Frank McAninch have with the TC-RECC and where are they located?

RESPONSE: Five accounts numbered J25-36, J25-24A, 125-18A, 125-44, and J25-24. Account number 125-44 is not presently active.

REQUEST NO. 25: How long has Frank McAninch been a member of the TC-RECC?

RESPONSE: Since August 29, 1997

REQUEST NO. 26: How many services do Marshall and Vivien McAninch have with TC-RECC and where are they located?

RESPONSE: Three accounts, J26-14, J25-75, and J26-12. Account number J25-75 is not active.

REQUEST NO. 27: The Taylor County RECC tariff under the section dealing with Mobile homes list saw mills, billboard, and oil wells as questionably permanent, when was this section of the tariff written?

RESPONSE: That section of Taylor County RECC's tariff has been in effect for decades, and Taylor County RECC cannot ascertain any point in time at which such language was not a part of its tariff.

REQUEST NO. 28: Was this an amendment to the tariff? If so, when?

RESPONSE: See response to Request No. 27.

REQUEST NO. 29: What was the reason for the amendment?

RESPONSE: See response to Request No. 27.

REQUEST NO. 30: Did the Taylor County RECC Board of Directors vote on the tariff amendment?

RESPONSE: See response to Request No. 27.

REQUEST NO. 31: Please send me a copy of the minutes from the meeting when the tariff concerning line removal charges was voted on and any discussion from the meeting?

RESPONSE: See response to Request No. 27.

REQUEST NO. 32: The tariff states the line removal charge may subject to be (sic) but not limited to saw mills, billboards, and oil wells. What other business or type of services may the removal charge be applied to? Give me some other examples?

RESPONSE: RV camper site, gazebo/picnic shelter, undeveloped hunting camp, service to special events such as wedding or revival tents.

REQUEST NO. 33: What is the written policy in determining who pays the removal charge?

RESPONSE: Taylor County RECC's policy is set forth in its tariff.

REQUEST NO. 34: Who and how was it determined that Frank McAninch should pay removal charge?

RESPONSE: Complainant applied for service to a saw mill which triggers the application of the subject tariff provision.

REQUEST NO. 35: Send me minutes from the meeting when this decision was made.

RESPONSE: Engineering activity engendered by a service application is not subject to written minutes.

REQUEST NO. 36: How many sawmills does the Taylor County RECC serve and what are their addresses?

RESPONSE: Taylor County RECC currently serves approximately 11 saw mills. Taylor County RECC does not provide personal information regarding its members. To the extent that this information can be determined, it is reflected upon saw mill charge history spreadsheet going back to the year 2000, that spreadsheet being attached as single page Exhibit A.

REQUEST NO. 37: How many of these sawmills have been charged a removal fee?

RESPONSE: See Exhibit A.

REQUEST NO. 38: Were these asked to show three years of tax returns? If not why not?

RESPONSE: Taylor County RECC does not disclose personal communications with its members. Complainant herein is the only applicant who has insisted upon preferential treatment based upon income considerations.

REQUEST NO. 39: Were these applicants asked to submit a copy of the deed where the service was to be located? If not why not?

RESPONSE: Taylor County RECC does not disclose personal communications with its members. Taylor County RECC would not typically be made aware that an applicant lacked the legal authority to provide an easement.

REQUEST NO. 40: How many lines (sic) poles services have been removed, please provide names of members and addresses?

RESPONSE: Exhibit A reflects such retirements.

REQUEST NO. 41: How many billboards does Taylor County RECC serve, please provide member names, addresses and locations?

RESPONSE: Approximately 7 active and 7 others which are inactive.

REQUEST NO. 42: Were these members asked to submit tax returns? If not why not?

RESPONSE: See response to Request No. 38.

REQUEST NO. 43: Were these applicants asked to submit a copy of the deed where the billboard was located? If not why not?

RESPONSE: See response to Request No. 39.

REQUEST NO. 44: How many billboard services paid a removal charge?

RESPONSE: Undetermined.

REQUEST NO. 45: How many services to billboards have been physically removed?

RESPONSE: Undetermined.

REQUEST NO. 46: How many oil wells do the Taylor County RECC provide service to? Please provide member names, addresses and location.

RESPONSE: Approximately 71.

REQUEST NO. 47: Were these members asked to submit tax returns? If not why not?

RESPONSE: See response to Request No. 38.

REQUEST NO. 48: Were these members asked to submit deeds where oil wells were located? If not why not?

RESPONSE: See response to Request No. 39.

REQUEST NO. 49: How many oil wells have been charged a removal service?

RESPONSE: To the extent that that information is available it is reflected upon oil well charge history spreadsheet attached as single page Exhibit B.

REQUEST NO. 50: How many services have been removed? Give Member name, address and location.

RESPONSE: See Exhibit B.

REQUEST NO. 51: List all services where the member was asked to submit tax records and deeds to properties where services were located?

RESPONSE: See responses to Request Nos. 38 and 39.

REQUEST NO. 52: How many General Purpose services does the TC-RECC provide? How many of these are farm services?

RESPONSE: As of October, 2013, Taylor County RECC maintains 3,088 general purpose services, of which the specific number of farm services is unknown.

REQUEST NO. 53: How many of these services have been removed? Please provide member name, address and location.

RESPONSE: Undetermined.

REQUEST NO. 54: How many residential services does TC-RECC provide?

RESPONSE: As of October, 2013, Taylor County RECC provides 22,773 residential services.

REQUEST NO. 55: How many residential services were terminated by the Taylor County RECC last year?

RESPONSE: Unknown.

REQUEST NO. 56: Why were they terminated?

RESPONSE: Unknown.

REQUEST NO. 57: How many had their service lines removed?

RESPONSE: See response to Request No. 55.

REQUEST NO. 58: How many Taylor County RECC services were cancelled, abandoned or destroyed?

RESPONSE: In 2012, a total of 66.

REQUEST NO. 59: How many of those services were removed? Not just the meter pulled but actually removed?

RESPONSE: See response to Request No. 58.

REQUEST NO. 60: What was the net income of Taylor County RECC for each of the last three years?

RESPONSE: Objection, irrelevant.

REQUEST NO. 61: What is the contract rate the Taylor County RECC pays for legal counsel to Spragens & Higdon, P.S.C. Attorneys at Law?

RESPONSE: Objection, irrelevant.

REQUEST NO. 62: Please submit a copy of the easement signed by George Baker for the service request by Frank McAninch.

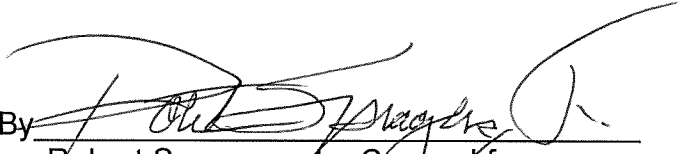
RESPONSE: Taylor County RECC believes that this request is directed to an easement signed by one Henry Baker, a copy of which is attached hereto as Exhibit C.

The undersigned acts as counsel for Taylor County Rural Electric Cooperative Corporation and, acting in that capacity, has supervised the preparation of this Response, which is true and accurate to the best of counsel's knowledge, information and belief formed after a reasonable inquiry.

DATED this 31st day of December, 2013.

SPRAGENS & HIGDON, P.S.C.
Attorneys at Law
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Lebanon, Kentucky 40033
Telephone (270) 692-3141
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By


Robert Spragens, Jr., Counsel for
Taylor County Rural Electric
Cooperative Corporation

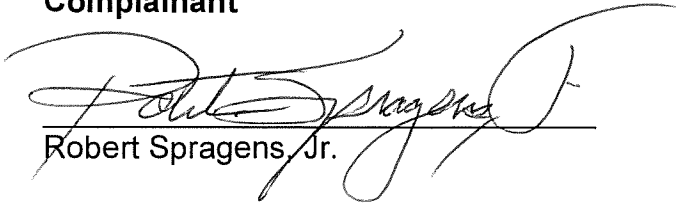
I hereby certify that a true copy of
the foregoing was mailed this
31st day of December, 2013, to:

Original and 8 Copies

Mr. Jeff Derouen, Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
P.O. Box 615
Frankfort, Kentucky 40602

Frank McAninch
1341 Iven Godbey Rd.
Liberty, KY 42539

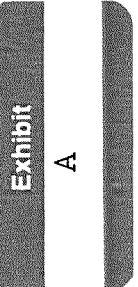
Complainant


Robert Spragens, Jr.

DATE	WORK ORDER #	252E 10% REF YR PAID AMOUNT	Cost Breakdown				
			Install Labor	Remove Labor	Labor OH	Transf Bank	Materials
			Cost	Cost	Cost	Up/Down	Cost
2000, 05/22	77542	\$ 1,206.10	\$ 295.57	\$ 295.57	none ?	none ?	\$ 614.96
2000, 12/29	78488	\$ 2,407.16	\$ 576.99	\$ 576.99	none ?	none ?	\$ 1,253.18
2003, 01/09	81606	\$ 2,845.44	\$ 400.00	\$ 400.00	\$ 1,040.00	none ?	\$ 1,005.44
2006, 03/08	100200	\$ 5,760.96	\$ 1,067.74	\$ 1,067.74	\$ 2,776.12	none ?	\$ 849.36
2007, 01/07	103365	\$ 1,184.27	\$ 285.04	\$ 173.11	\$ 595.59	none ?	\$ 130.53
2007, 07/16	104179	\$ 7,070.12	\$ 1,957.72	\$ 348.53	\$ 2,998.12	none ?	\$ 1,765.75
2007, 05/03	103587	\$ 5,020.00	\$ 1,426.58	\$ 188.21	\$ 2,099.22	none ?	\$ 1,306.18
2010, 03/26	108728	\$ 3,217.01	\$ 791.65	\$ 428.29	\$ 1,585.92	none ?	\$ 411.15
2012, 03/09	110653	\$ 1,996.87	\$ 439.47	\$ 232.53	\$ 873.60	none ?	\$ 451.27
2012, 08/01	111902	\$ 10,774.78	\$ 1,761.40	\$ 1,206.60	\$ 3,858.40	\$ 2,461.00	\$ 1,487.38
2012, 11/15	112520	\$ 14,845.92	\$ 3,175.60	\$ 1,871.60	\$ 6,561.36	none ?	\$ 3,237.36

Retirements:

Mar-06 10857 DALE FREEMAN SAWMILL RETIREMENT
Dec-06 111347 WOODCOX SAWMILL RETIREMENT - VANDALISM TO 750 PADMOUNT TRF. E15-105



DATE	WORK ORDER #	252E 10% REF YR PAID AMOUNT	Cost Breakdown					NOTES:
			Install Labor	Remove Labor	Labor OH	Transf Bank	Materials	
			Cost	Cost	Cost	Up/Down	Cost	
11/1/2005	101221	\$ 7,135.46	\$ 1,558.66	\$ 1,101.82	\$ 3,458.62	none ?	\$ 1,016.36	P08-082A
12/1/2005	101476	\$ 1,867.35	\$ 371.00	\$ 371.00	\$ 964.60	none ?	\$ 160.75	O07-095
7/1/2006	102577	\$ 4,780.68	\$ 1,178.14	\$ 563.09	\$ 2,263.60	none ?	\$ 775.85	O06-113
6/20/2007	104269	\$ 1,926.67	\$ 458.59	\$ 265.38	\$ 941.16	none ?	\$ 261.54	G07-190
6/20/2007	104270	\$ 2,117.09	\$ 508.74	\$ 289.28	\$ 1,037.42	none ?	\$ 281.65	G07-191
8/14/2007	104429	\$ 24,090.17	\$ 5,434.35	\$ 3,100.03	\$ 11,094.69	none ?	\$ 4,461.10	F08-160 and F08-162
11/19/2007	104910	\$ 2,115.94	\$ 494.49	\$ 287.86	\$ 1,017.05	none ?	\$ 316.54	F07-175
8/22/2008	106521	\$ 3,525.65	\$ 850.33	\$ 491.74	\$ 1,744.69	none ?	\$ 438.89	Q08-141 and Q08-142
10/1/2008	106677	\$ 3,059.51	\$ 736.73	\$ 399.14	\$ 1,476.63	none ?	\$ 447.01	E07-183
4/13/2009	107318	\$ 6,745.94	\$ 1,552.03	\$ 906.21	\$ 3,195.71	none ?	\$ 1,091.99	R10-122

Retirement Oil Well Work Orders

W.O. Date	W.O. No.	Map Location
11/30/99	10264	G07-088
04/30/2002	10295	H06-189
3/31/1999	9757	K04-092
11/30/1998	10077	H06-200
12/31/1998	10113	Mike Will
7/31/1999	10200	I05-069
8/31/2005	10294	H06-209
6/30/2007	103236	G07-170
9/30/1998	10072	Q08-008
3/31/1999	10114	L05-092
7/31/1966	10197	I05-086, 087
11/30/1999	10264	G07-088
8/31/2000	10379	Q10-051
6/30/2007	104302	G07-170
9/30/2007	104516	G07-041B
10/31/2008	105733	P08-
11/30/2012	110990	L04-164
9/30/2010	109415	E07-146

RIGHT OF WAY EASEMENT

WORK ORDER NO. 112520

KNOW ALL MEN BY THESE PRESENTS, that we, the undersigned, Harry Baker

(unmarried) (husband and wife) for a good and valuable consideration, the receipt whereof is hereby acknowledged, do hereby grant unto TAYLOR COUNTY RURAL ELECTRIC COOPERATIVE CORPORATION, a cooperative corporation (hereinafter called the "Cooperative"), whose post office address is CAMPBELLSVILLE, KENTUCKY, and to its successors or assigns, the right to enter upon the lands of the undersigned, situated in the County of Casey, State of Kentucky, and more particularly, described as follows:

A tract of land approximately 8 acres in area, located 9 miles in a EAST direction from the town of Liberty and further described as being the same land or a part of the same land conveyed to the grantors herein by on the day of

19 records of the County Court Clerk's office, Casey County, Kentucky, and to construct, operate and maintain on the above described lands and/or in or upon all streets, roads or highways abutting said land, an electric transmission or distribution line or system, to cut and trim trees and shrubbery that may interfere with or threaten to endanger the operation and maintenance of said line or system, and to license, permit, or otherwise agree to the joint use or occupancy of the line or system by any other person, association or corporation, for electrification or telephone purposes.

The undersigned agree that all poles, wires and other facilities, including any main service entrance equipment, installed on the above described lands at the Cooperative's expense, shall remain the property of the Cooperative, removable at the option of the Cooperative, upon termination of service to or on said lands.

The undersigned covenant that they are the owners of the above-described lands and that the said lands are free and clear of encumbrances and liens of whatsoever character except those held by the following persons:

IN WITNESS WHEREOF, the undersigned have set their hands and seals this 15 day of Nov., 2012.

x N.M. Baker (L.S.) (L.S.) (L.S.)

Signed, sealed and delivered in the presence of: [Signature]

STATE OF KENTUCKY, COUNTY OF

I, in and for the County aforesaid do hereby certify that the above and foregoing right-of-way easement was this day produced to me in said State and County by

who acknowledged and delivered the same to be (his/her/their) act and deed.

Witness my hand this * day of , 200

My Commission expires Notary

