

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF LOGAN TELEPHONE)	
COOPERATIVE, INC. FOR A CERTIFICATE OF)	
PUBLIC CONVENIENCE AND NECESSITY FOR)	CASE NO.
THE CONSTRUCTION OF FIBER-TO-THE-)	2016-00081
PREMISE IN PORTIONS OF LOGAN COUNTY)	
AND MUHLENBERG COUNTY, KENTUCKY)	

ORDER

On February 17, 2016, Logan Telephone Cooperative, Inc. (“Logan”) filed an application seeking a Certificate of Public Convenience and Necessity (“CPCN”) for the construction and deployment of a Fiber-to-the-Premise (“FTTP”) network in portions of Logan’s telecommunications network.¹ Logan is a non-profit membership cooperative corporation with its main office in Auburn, Logan County, Kentucky. Logan provides telephone service to approximately 494 business and 4,687 residential subscribers in portions of Butler, Logan, Muhlenberg, Ohio, Simpson, Todd, and Warren counties in Kentucky.²

¹ The instant application is a continuation of similar FTTP projects initiated throughout Logan’s system as previously approved in Case Nos. 2014-00059, *Application of Logan Telephone Cooperative, Inc. for a Certificate of Public Convenience and Necessity for the Construction of Fiber-to-the-Premises*, (Ky. PSC Mar. 24, 2014); 2014-00153, *Application of Logan Telephone Cooperative, Inc. for a Certificate of Public Convenience and Necessity for the Construction of Fiber-to-the-Premises in a Portion of Logan County, Kentucky* (Ky. PSC June 13, 2014); 2014-00168, *Application of Logan Telephone Cooperative, Inc. for a Certificate of Public Convenience and Necessity for the Construction of Fiber-to-the-Premises in a Portion of Logan County, Kentucky* (Ky. PSC June 13, 2014); and 2015-00007, *Application of Logan Telephone Cooperative, Inc. for a Certificate of Public Convenience and Necessity for Construction of Fiber-to-the-Premise, in a Portion of Logan County, Kentucky* (Ky. PSC Feb. 24, 2015).

² Logan’s Annual Report for Calendar Year Ending December 31, 2014.

Description of Proposed Construction

Logan states that the purpose of the new construction is to deploy an FTTP network in and around the city of Dunmore served by copper cable via the Dunmore central office and two remote sites in the Dunmore exchange that covers portions of Logan and Muhlenberg counties of Kentucky. As part of its proposed construction, Logan plans to install approximately 111 miles of direct buried³ fiber optic cable and necessary electronics between the Dunmore central office and each premise desiring enhanced broadband service along the proposed construction route.⁴

Logan states in its application that current subscribers are requesting higher-speed broadband services than what is currently available through the existing copper and fiber hybrid network. Logan further indicates that the deployment of the proposed FTTP network is necessary due to the current demand for increased broadband speed, along with the projected demand for increasingly higher speeds in the future.⁵

Logan asserts that the advanced services made available through its proposed construction are critical to long-term economic growth and that these services may create new opportunities in employment, education, health care, and entrepreneurship. Logan also states that the proposed construction could improve quality of life for its subscribers through increased work-from-home opportunities, entertainment services,

³ While this project will not use financing through the Rural Utilities Service ("RUS"), Logan states that the construction will be performed under RUS specifications for direct buried plant and customer premise cable.

⁴ Logan projects the proposed construction will be able to provide enhanced service to an additional 612 customer locations and will initially provide customers with service of up to 100 megabits per second ("Mbps").

⁵ The Commission further notes the Federal Communications Commission's defined rate of 25 Mbps for downloads and 3 Mbps for uploads established in its 2015 Broadband Progress Report at 3, paragraph 3, available from https://apps.fcc.gov/edocs_public/attachmatch/FCC-15-10A1.pdf.

cloud computing capabilities, as well as other offerings which require very high-speed broadband service that is only available through FTTP networks such as that proposed by Logan in its application. Logan states that there is no competitive fixed broadband service or basic voice service in the proposed construction area.

Logan anticipates beginning the proposed construction in June 2016 with completion by the spring of 2017. Customers may begin cutover to the new network in the fall of 2016 with final cutover in the summer of 2017.

The total estimated cost of the proposed construction is \$7,480,012.⁶ Logan plans to finance the proposed construction, engineering, and electronics costs through the use of existing capital assets and asserts that it currently has sufficient funds available to meet the financial requirement of this project. Logan estimates that the annual cost of operations in areas where the FTTP network will be deployed will significantly decline as a result of the proposed construction.⁷ Logan does not anticipate requiring any local rate adjustments as a result of the new construction.

Discussion and Findings

It appears that the proposed construction will result in a significant expansion of the services available to subscribers and will enhance Logan's ability to maintain its facilities and provide service to customers. However, the planned construction is extensive, with substantial costs, and is designed primarily for Logan to support

⁶ The costs of the project are estimated at:

Outside Plant	\$6,172,287
Central Office/Electronic Equipment	\$ 366,190
Engineering	\$ 941,535
TOTAL	\$7,480,012

⁷ Though a specific estimated savings was not provided, Logan cites a study by the FTTP Council, which reports an estimated 20 percent savings in operational costs due to active FTTP deployment.

services that may be beyond the jurisdiction of the Commission.⁸ The Commission recognizes that the General Assembly has found that the provision of broadband and other state-of-the-art telecommunications technologies is an “essential element to the Commonwealth’s initiative to improve the lives of Kentucky citizens. . . .”⁹ Nevertheless, the Commission remains obligated to ensure that Logan’s ability to offer safe, adequate, and reasonable basic local exchange service is not adversely affected.¹⁰ Logan should carefully account for the costs associated with the construction of these facilities and properly allocate those costs to jurisdictional and non-jurisdictional services, respectively.¹¹

The Commission, having considered the evidence of record and being otherwise sufficiently advised, finds that Logan should be authorized to proceed with the proposed construction as set forth in its application and described herein.

IT IS THEREFORE ORDERED that:

1. Logan is granted a CPCN to construct new facilities as set forth in its application and as described in this Order.
2. Should the costs of the construction authorized herein exceed by more than 10 percent the estimated costs contained in the application, Logan shall

⁸ KRS 278.5462 provides, in part, that the provision of broadband services is not subject to Commission regulation. However, the Commission retains authority to investigate and resolve complaints stemming from broadband service and has the authority to arbitrate and enforce interconnection agreements. Interconnection agreements may include provisions related to remote terminals and central office facilities which may incorporate broadband services.

⁹ KRS 278.546(1).

¹⁰ KRS 278.542(1)(n).

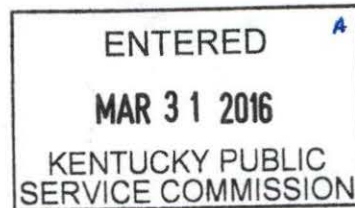
¹¹ The Commission retains the authority to review the reasonableness of such accounting procedures when considering adjustments of rates for basic local exchange service.

immediately notify the Commission in writing of the adjustment and include an explanation of the additional costs for the Commission's approval.

3. As provided for in this Order, Logan shall maintain records that clearly and sufficiently document the proper allocation of costs for jurisdictional and non-jurisdictional services provided as a result of this construction project.

4. Any documents filed pursuant to ordering paragraph 2 of this Order shall reference the number of this case and shall be retained in the utility's general correspondence file.

By the Commission



ATTEST:


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