

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC INVESTIGATION OF THE	)	
PROPOSED POLE ATTACHMENT TARIFFS OF	)	CASE NO.
INVESTOR-OWNED ELECTRIC UTILITIES	)	2022-00105

COMMISSION STAFF'S SECOND REQUEST FOR INFORMATION  
TO KENTUCKY POWER COMPANY

Kentucky Power Company (Kentucky Power), pursuant to 807 KAR 5:001, is to file with the Commission an electronic version of the following information. The information requested is due on June 2, 2022. The Commission directs Kentucky Power to the Commission's July 22, 2021 Order in Case No. 2020-00085<sup>1</sup> regarding filings with the Commission. Electronic documents shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked.

Each response shall include the question to which the response is made and shall include the name of the witness responsible for responding to the questions related to the information provided. Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or the person supervising the preparation of the response on behalf of the entity that the

---

<sup>1</sup> Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC July 22, 2021), Order (in which the Commission ordered that for case filings made on and after March 16, 2020, filers are NOT required to file the original physical copies of the filings required by 807 KAR 5:001, Section 8).

response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

Kentucky Power shall make timely amendment to any prior response if Kentucky Power obtains information that indicates the response was incorrect when made or, though correct when made, is now incorrect in any material respect. For any request to which Kentucky Power fails or refuses to furnish all or part of the requested information, Kentucky Power shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

Careful attention shall be given to copied material to ensure that it is legible. When the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this request. When applicable, the requested information shall be separately provided for total company operations and jurisdictional operations. When filing a paper containing personal information, Kentucky Power shall, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the paper so that personal information cannot be read.

1. Refer to Kentucky Power's response to Commission Staff's First Request for Information (Staff's First Request), Item 2(a), regarding the \$2.70 per linear foot per year fee for attachments within ducts or conduit. Provide the detailed calculation, using both the net book value methodology and the gross book value methodology, used to arrive at the \$2.70 per linear foot per year rate.

2. Refer to Kentucky Power's response to Staff's First Request, Item 2(b), regarding the \$150 per attachment per year fee for attachments of wireless facilities at the top of distribution pole.

- a. Provide the detailed calculation used to arrive at the \$150 amount.
- b. Provide support for the statement that wireless pole-top attachments make it more expensive for Kentucky Power to perform maintenance on its facilities.
- c. Provide support for the statement that wireless pole-top attachments almost always require a pole replacement to create additional height and strength.

3. Refer to Kentucky Power's response to Staff's First Request, Item 2(c), regarding the \$75 per attachment per year fee for attachment of wireless facilities within communications space of a distribution pole.

- a. Provide support for the statement that Kentucky Power's affiliates charge \$75 per attachment per year for the attachment of wireless facilities within the communications space of a distribution pole, explain how Kentucky Power's affiliates arrived at that amount, and provide the calculation they used to arrive at that amount.
- b. Provide support for the statement that Kentucky Power must devote additional resources to monitoring wireless facilities due to radiofrequency radiation posing a threat to the safety of personnel working on or near Kentucky Power's poles.

4. Refer to Kentucky Power's response to Staff's First Request, Item 3(c), regarding the \$500 penalty for each unauthorized attachment within a duct. As the Federal Communications Commission (FCC) has stated that it considers a penalty for unauthorized attachments to be presumptively reasonable if the penalty does not exceed five times the current annual rental fee per pole if the pole occupant does not have a

permit and the violation is self-reported or discovered through a joint inspection, with an additional sanction of \$100 per pole if the violation is found by the pole owner in an inspection in which the pole occupant declined to participate,<sup>2</sup> explain how the \$500 penalty is reasonable given that it may exceed the amounts the FCC would find presumptively reasonable.

5. Refer to Kentucky Power's response to Staff's First Request, Item 4. Provide copies of bonds that have been provided by attaching entities in the last 5 years to guarantee the payment of amounts due. If there are more than 10 bonds, you may provide 10 representative examples of such bonds in lieu of providing all such documents.

6. Refer to Kentucky Power's response to Staff's First Request, Item 5(a), in which Kentucky Power states that the late payment charge of 5 percent did little to incentivize satisfaction of overdue balances. For calendar years 2020, 2021, and 2022 to date, provide the average amount of time it took attachers to pay their bills once they are late and had been charged a late payment penalty.

7. Refer to Kentucky Power's response to Staff's First Request, Item 6(a), regarding the \$275 per pole estimated survey costs.

- a. Provide the detailed calculation used to arrive at the \$275 amount.
- b. Explain why Kentucky Power based the per pole make-ready survey cost on a 50-pole proposal.
- c. Provide support for the 15 percent surcharge to offset Kentucky Power's administrative costs.

---

<sup>2</sup> See, *In the Matter of Implementation of Section 224 of the Act A National Broadband Plan for Our Future*, 26 F.C.C. Rcd. 5240, 5291 (2011), rule modification granted by *In the Matter of Implementation of Section 224 of the Act*, 30 F.C.C. Rcd. 13731 (2015).

8. Refer to Kentucky Power's response to Staff's First Request, Item 9 and Item 10.

a. Given the age of a number of Kentucky Power's poles in service, explain why the average service life used to calculate depreciation rates for distribution poles is 28 years.

b. Provide the service lives of distribution poles used to determine the average service life, by type and vintage, to the degree they are broken down.

9. Refer to Kentucky Power's response to Staff's First Request, Item 12.

a. State how much time typically passes between the time Kentucky Power identifies a defect requiring replacement and the pole actually being replaced.

b. Other than identifying specific defective poles through inspections, state whether Kentucky Power has a policy or practice of replacing poles in a circuit on a periodic basis or as they reach the end of their useful lives and, if so, describe that policy or practice, including how and when (e.g. how far in advance) such replacements such replacements are identified or included in Kentucky Power's projected capital spending budget.

10. Refer to Kentucky Power's proposed tariff, P.S.C. KY No. 12, Original Sheet No. 16-8, Unauthorized Attachments. Explain whether an unauthorized attachment above the communications space on a distribution pole would include an attachment that is authorized within the communications space but which was placed outside the communications.

11. Describe Kentucky Power's recent efforts, if any, to reduce the number of above ground transmission and distribution lines, and identify the number of poles that

have been eliminated in Kentucky Power's system in each of the last ten years because the electric lines previously attached to those poles were placed underground.

12. Provide any current joint use agreements.



Linda C. Bridwell, PE  
Executive Director  
Public Service Commission  
P.O. Box 615  
Frankfort, KY 40602

DATED   MAY 19 2022  

cc: Parties of Record

\*Amy B Spiller  
Associate General Counsel  
Duke Energy Kentucky, Inc.  
139 East Fourth Street  
Cincinnati, OH 45201

\*Duke Energy Kentucky, Inc.  
Duke Energy Kentucky, Inc.  
139 East Fourth Street  
Cincinnati, OH 45202

\*Rebecca C. Price  
Sturgill, Turner, Barker & Moloney  
155 East Main Street  
Lexington, KENTUCKY 40507

\*Honorable Allyson K Sturgeon  
Managing Senior Counsel - Regulatory &  
LG&E and KU Energy LLC  
220 West Main Street  
Louisville, KENTUCKY 40202

\*Larisa Vaysman  
Duke Energy Kentucky, Inc.  
139 East Fourth Street  
Cincinnati, OH 45201

\*Sara Judd  
Senior Corporate Attorney  
LG&E and KU Energy LLC  
220 West Main Street  
Louisville, KENTUCKY 40202

\*Hannah Wigger  
Sheppard Mullin Richter & Hampton LLP  
2099 Pennsylvania Avenue NW, Suite 1  
Washington, DISTRICT OF COLUMBIA 20006

\*Michael Hornung  
Manager, Pricing/Tariffs  
Louisville Gas and Electric Company  
220 W. Main Street  
P. O. Box 32010  
Louisville, KY 40202

\*Louisville Gas and Electric Company  
Louisville Gas and Electric Company  
220 W. Main Street  
P. O. Box 32010  
Louisville, KY 40232-2010

\*James W Gardner  
Sturgill, Turner, Barker & Moloney, PLLC  
333 West Vine Street  
Suite 1400  
Lexington, KENTUCKY 40507

\*Minna Sunderman  
Duke Energy Kentucky, Inc.  
139 East Fourth Street  
Cincinnati, OH 45201

\*Kentucky Utilities Company  
Kentucky Utilities Company  
220 W. Main Street  
P. O. Box 32010  
Louisville, KY 40232-2010

\*John Tyler  
BellSouth Telecommunications, LLC dba AT&T  
405 N Broadway  
Oklahoma City, OK 73102

\*Paul Werner  
Sheppard Mullin Richter & Hampton LLP  
2099 Pennsylvania Avenue NW, Suite 1  
Washington, DISTRICT OF COLUMBIA 20006

\*M. Todd Osterloh  
Sturgill, Turner, Barker & Moloney, PLLC  
333 West Vine Street  
Suite 1400  
Lexington, KENTUCKY 40507

\*Kentucky Power Company  
Kentucky Power Company  
1645 Winchester Avenue  
Ashland, KY 41101

\*Honorable Robert J Patton  
Attorney at Law  
Kinner & Patton Law Offices  
328 East Court Street  
Prestonsburg, KENTUCKY 41653

\*Katie M Glass  
Stites & Harbison  
421 West Main Street  
P. O. Box 634  
Frankfort, KENTUCKY 40602-0634

\*Rocco O D'Ascenzo  
Duke Energy Kentucky, Inc.  
139 East Fourth Street  
Cincinnati, OH 45201