

**Dinsmore & Shohl** LLP  
ATTORNEYS

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November 30, 2004

via Federal Express  
Ms. Beth O'Donnell  
Executive Director  
Kentucky Public Service Commission  
211 Sower Blvd.  
P. O. Box 615  
Frankfort, KY 40601

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DEC 01 2004

PUBLIC SERVICE  
COMMISSION

*Re: Ballard Rural Telephone v. Jackson Purchase Rural Electric Cooperative Corporation, Case No. 2004-00036*

Dear Ms. O'Donnell:

Enclosed for filing with the Public Service Commission of the Commonwealth of Kentucky (the "Commission") is one original and ten (10) copies of Ballard Rural Telephone Cooperative Corporation Inc.'s Motion for Full Intervention in the above-styled case.

Thank you, and if you have any questions with regard to this matter, please call me.

Very truly yours,

DINSMORE & SHOHL LLP



Holly C. Wallace

HCW/rk

Enclosure

cc: Mr. Harlon Parker (w/enclosure)  
John E. Selent, Esq. (w/o enclosure)

90122v3; 31471-1

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

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*In the Matter of:*

DEC 01 2004

JACKSON PURCHASE ENERGY CORPORATION-- )  
ADVANCED NOTICE OF INTENT TO FILE APPLICATION ) Case No. 2004-00319 )  
FOR ADJUSTMENTS IN EXISTING CABLE TELEVISION ) PUBLIC SERVICE )  
ATTACHMENT TARIFF ) COMMISSION

MOTION FOR FULL INTERVENTION

Ballard Rural Telephone Cooperative Corporation, Inc. ("Ballard Rural"), by counsel, hereby moves the Public Service Commission of the Commonwealth of Kentucky (the "Commission"), pursuant to 807 KAR 5:001 §8, for full intervention in the above-captioned matter. In support of its motion, Ballard Rural states as follows.

1. The full name and address of Ballard Rural is Ballard Rural Telephone Cooperative Corporation, Inc., P.O. Box 209, 159 West Second Street, LaCenter, Kentucky 42056. Ballard Rural is a rural incumbent local exchange carrier ("ILEC") which provides local exchange services to residents of its approved service territory.

2. Ballard Rural receives pole attachment services from Jackson Purchase Rural Electric Cooperative Corporation ("Jackson Purchase") and occupies approximately 3,292 of Jackson Purchase's poles.

3. Just as CATV companies were subject to utility companies' monopoly power prior to the Commission asserting jurisdiction over pole attachment services and rates in Administrative Case No. 251, Ballard Rural is subject to Jackson Purchase's monopoly power with regard to pole attachment rates.

4. On February 2, 2004, Ballard Rural filed a formal complaint against Jackson Purchase based on Jackson Purchase's refusal to provide Ballard Rural with fair, just, reasonable and non-discriminatory pole attachment rates. *See* Case No. 2004-00036.

5. In Case No. 2004-00036, both parties have suggested rates based on Jackson Purchase's cable television attachment tariff ("CTAT"). *See* Ballard Rural's Motion for Summary Judgment, Case No. 2004-00036; *see also* Jackson Purchase's Response to Ballard Rural's Motion for Summary Judgment, Case No. 2004-00036, p. 9-10.

6. As a customer of Jackson Purchase receiving pole attachment services, Ballard Rural will be substantially and detrimentally affected by Jackson Purchase's stated intention to increase its existing CTAT.

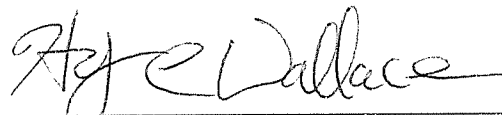
7. Because of Ballard Rural's fifty-year history with Jackson Purchase and its current case before the Commission concerning Jackson Purchase's pole attachment rates, Ballard Rural is likely to present issues and to develop facts that will assist the Commission in fully considering the effects of Jackson Purchase's proposed increase in CTAT rates.

8. Ballard Rural's interests will not otherwise be fully and adequately represented.

9. If Ballard Rural is permitted to fully intervene in this matter, its intervention will not unduly complicate or disrupt the proceedings.

**WHEREFORE**, Ballard Rural respectfully requests that the Commission grant its motion for a full intervention in this proceeding.

Respectfully submitted,



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John E. Selent

Holly C. Wallace

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**COUNSEL TO BALLARD RURAL  
TELEPHONE COOPERATIVE  
CORPORATION, INC.**


**CERTIFICATE OF SERVICE**

It is hereby certified that a true and accurate copy of the foregoing was served via First Class United States Mail, postage prepaid, to the following individuals this 30<sup>th</sup> day of November, 2004:

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