DORSEY, KING, GRAY, NORMENT & HOPGOOD

ATTORNEYS-AT-LAW 318 SECOND STREET HENDERSON, KENTUCKY 42420

TELEPHONE (270) 826-3965 TELEFAX (270) 826-6672 www.dkgnlaw.com

November 12, 2004

FEDEX

Ms. Elizabeth O'Donnell Executive Director Public Service Commission of Kentucky 211 Sower Boulevard Frankfort, Kentucky 40601 RECEIVED

NOV 1 5 2004

PUBLIC SERVICE COMMISSION

Re: Case No. 2004-00319

Dear Ms. O'Donnell:

Enclosed for filing please find the original and 10 copies of Application on behalf of Jackson Purchase Energy Corporation for Adjustments in Existing Cable Television Attachment Tariff.

Your assistance in this matter is appreciated.

Very truly yours,

DORSEY, KING, GRAY, NORMENT & HOPGOOD

By

Frank N. King, Jr.

FNKJr/cds COPY/w/encls.:

Attorney General of Kentucky, Office of Rate Intervention Jackson Purchase Energy Corporation

JOHN DORSEY (1920-1986) FRANK N. KING, JR. STEPHEN D. GRAY WILLIAM B. NORMENT, JR. J. CHRISTOPHER HOPGOOD S. MADISON GRAY

COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSIORECEIVED

NOV 1 5 2004

PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF JACKSON PURCHASE ENERGY CORPORATION FOR ADJUSTMENTS IN EXISTING CABLE TELEVISION ATTACHMENT TARIFF

))))CASE NO. 2004-00319

<u>APPLICATION</u>

Applicant JACKSON PURCHASE ELECTRIC CORPORATION

("JPEC") applies for adjustments in its existing Cable Television Attachment Tariff. An application proposing to accomplish this was submitted to the Commission under the above case number on September 14, 2004, but by letter of October 26, 2004, the Commission gave notice that the application was rejected because an adjustment of pole attachment rates constitutes a general rate adjustment that must be filed pursuant to the requirements of 807 KAR 5:001, Section 10. This application is filed pursuant to the requirements of that regulation.

The application of JPEC respectfully shows:

(a) JPEC is a nonprofit electric cooperative organized under KRS Chapter 279 and is primarily engaged in the business of distributing retail electric power to member customers in the Kentucky counties of Ballard, Carlisle, Graves, Livingston, Marshall and McCracken. Cable television ("CATV") operators are deemed to be tariff customers of JPEC pursuant to the Commission's final order in Administrative Case No. 251 and following are the names and addresses of the four (4) CATV operators that will be affected by the proposed tariff adjustments sought herein, to-wit:

> Mediacom Southeast LLC 90 Main Street Benton, KY 42025 Attention: Mr. Scotty Power

Galaxy Cable, Inc. 1 First National Plaza Sikeston, MO 63801-4287 Attention: Accounts Payable

Charter Communications 906 South 12th Street Murray, KY 42071 Attention: Mr. Dale Haney

Comcast Cablevision of Paducah, Inc. Post Office Box 2700 Paducah, KY 42002-2700 Attention: Mr. Steven Walker (b) The post office address of JPEC is Post Office Box 4030, Paducah, Kentucky 42002-4030.

(c) A certified copy of the Articles of Incorporation of JPEC has heretofore been filed with the Commission in Case No. 1983, and reference is made thereto. The Articles of Incorporation were amended and restated and heretofore filed with the Commission in Case No. 6572, and reference is made thereto.

(d) The annual reports of JPEC are on file with the Commission in accordance with 807 KAR 5:006, Section 3(1).

(e) A certificate of good standing ("Certificate of Existence") is attached as "Exhibit 1."

(f) JPEC requests that its Cable Television Attachment Tariff be revised to adjust yearly rental charges for pole attachments and anchor attachments as those charges are currently shown on First Revised Sheet No. 10.0 of JPEC's filed tariff. Said charges have been in effect since 1984 and the requested adjustments are as follows:

Estimated Amount

	<u>Existing</u>	Proposed	of increase
Two-Party Pole Attachment	\$ 2.27	\$ 6.60	\$ 4.33 (191%)
Three-Party Pole Attachment	\$ 1.75	\$ 5.40	\$ 3.65 (209%)
Two-Party Anchor Attachment	\$ 3.10	\$10.16	\$ 7.06 (228%)
Three-Party Anchor Attachment	\$ 2.07	(not available)	n/a

(g) The foregoing proposed rates have been calculated according to the directives set forth in the Commission's final order in Administrative Case No. 251 and a complete description and quantified explanation for the proposed adjustments are set forth in attached "Exhibit 2." See 807 KAR 5:001, Section 10(6)(a). (A detailed explanation of the information on attached "Exhibit 2" is set forth in the prepared testimony of Richard Sherrill attached as "Exhibit 8.")

(h) In addition to the proposed rate adjustments, JPEC requests revision of section A. <u>Specifications</u> as set forth on First Revised Sheet No. 10.0 of said tariff deleting the words "1981 Edition" and substituting therefor "latest edition."

(i) Attached as "Exhibit 3" is a copy of First Revised Sheet No. 10.0 of JPEC's present tariff. Attached as "Exhibit 4" is a copy of said First Revised Sheet No. 10.0 showing necessary additions and deletions. Attached As "Exhibit 5" is Second Revised Sheet No. 10.0 canceling First Revised Sheet No. 10.0 that

4

contains the aforementioned revisions. As set forth in "Exhibit 5" JPEC seeks to have the adjusted rates go into effect as of January 1, 2005. See 807 KAR 5:001, Section 10(1)(b)8.

(j) The only customers affected by these proposed rate adjustments are the four (4) CATV operators listed above in paragraph (a). These customers have been notified of the filing of this application by mailing to each of them a copy of the written notice that is attached as "Exhibit 6." Further, a copy of this application has been served by mail on each of the CATV operators, as certified below in the Certificate of Service. See 807 KAR 5:001, Section 10(4)(b).

(k) The prepared testimonies of G. Kelly Nuckols, President and CEO of JPEC, and Richard Sherrill, Vice President of Engineering and Operations of JPEC, are attached hereto as "Exhibit 7" and "Exhibit 8" respectively. See 807 KAR 5:001, Section 10(6)(b).

(1) The total number of pole attachments and anchor attachments on JPEC's poles and facilities as of September 30, 2004, is shown on attached "Exhibit 9," which includes a breakdown for each of the four (4) affected customers and estimates for their annual billings. JPEC estimates an increase in

5

annual revenue in the amount of \$66,325.00, as shown on attached said "Exhibit 9." See 807 KAR 5:001, Section 10(6)(d), (e) and (g).

(m) Following is a list of all commercially available or in-house developed computer software, programs and models used in the development of the schedules and work papers associated with this filing: Excel and Microsoft Word; plant data is maintained with a proprietary computer program running on an AS/400. See 807 KAR 5:001, Section 10 (6) (o).

(n) A cost of service study is not provided because the methodology for computing CATV operator rates that is recognized in the Commission's final order in Administrative Case No. 251, which JPEC has followed herein, effectively establishes cost of service for the affected CATV operators.

(o) Attached as "Exhibit 10" is JPEC's Adjusted Income Statement for the 12 months ending September 30, 2004. There are no pro forma adjustments for known and measurable changes except for the proposed \$66,325.00 annual increase in revenue as shown thereon. As shown on line 23 of said exhibit the proposed increase in revenue results in an adjusted Tier of 1.77. Attached as "Exhibit 11" is JPEC's Balance Sheet as of September 30, 2004. See 807 KAR 5:001, Section 10(6)(a). (p) JPEC believes that the information provided above in paragraphs (a) through (o), along with accompanying exhibits, fulfills all of the applicable filing requirements of 807 KAR 5:001, Section 10, that are necessary for the Commission's consideration and approval of the adjustments sought herein. JPEC believes that the other filing requirements of this regulation are inapplicable, and therefore good cause exists for the Commission to permit deviations therefrom, and JPEC so requests.

WHEREFORE, applicant asks that the Public Service Commission of the Commonwealth of Kentucky make its order authorizing applicant to adjust rates and make revisions in its Cable Television Attachment Tariff as set forth above, and applicant further requests all proper relief.

DORSEY, KING, GRAY, NORMENT & HOPGOOD 318 Second Street Henderson, Kentucky 42420 **Telephone (270) 826-3965** Telefax (270) 826-6672 **Attorneys for Jackson Purchase Energy Corporation** nh h. By

CERTIFICATE OF SERVICE

I hereby certify that the foregoing has been served upon the following by mailing a true and correct copy of same on this 12th day of November, 2004:

Attorney General of Kentucky Office of Rate Intervention 1024 Capital Center Drive Frankfort, Kentucky 40601

Mediacom Southeast LLC 90 Main Street Benton, KY 42025 Attention: Mr. Scotty Power

Galaxy Cable, Inc. 1 First National Plaza Sikeston, MO 63801-4287 Attention: Accounts Payable

Charter Communications 906 South 12th Street Murray, KY 42071 Attention: Mr. Dale Haney

Comcast Cablevision of Paducah, Inc. Post Office Box 2700 Paducah, KY 42002-2700 Attention: Mr. Steven Walker

Counsel for Jackson Purchase Energy Corporation

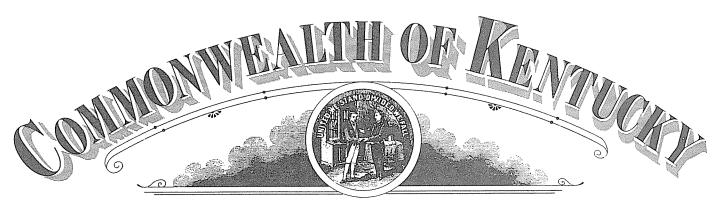
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KENTUCKY PUBLIC SERVICE COMMISSION CASE NO. 2004-00319

INDEX OF EXHIBITS TO APPLICATION

EXHIBIT

1	Certificate of Existence
2	Worksheet showing calculations for proposed rate adjustments
3	First Revised Sheet No. 10.0 of JPEC's present tariff
4	First Revised Sheet No. 10.0 of JPEC's present tariff showing necessary additions and deletions
5	Second Revised Sheet No. 10.0 canceling First Revised Sheet No. 10.0
6	Notice of Filing
7	Prepared Testimony of G. Kelly Nuckols, President and CEO of JPEC
8	Prepared Testimony of Richard Sherrill, Vice President of Engineering and Operations of JPEC
9	Projected Additional Revenue Generated Schedule showing pole and anchor count and revenue increase
10	Adjusted Income Statement
11	Balance Sheet as of September 30, 2004



Trey Grayson Secretary of State

Certificate of Existence

I, Trey Grayson, Secretary of State of the Commonwealth of Kentucky, do hereby certify that according to the records of the Office of the Secretary of State,

JACKSON PURCHASE ENERGY CORPORATION

is a nonprofit corporation duly incorporated and existing under KRS Chapter 273, whose date of incorporation is June 12, 1937 and whose period of duration is perpetual.

I further certify that all fees and penalties owed to the Secretary of state have been paid; that articles of dissolution have not been filed; and that the most recent annual report required by KRS 273.3671 has been delivered to the Secretary of State.

IN WITNESS THEREOF, I have hereunto set my hand and affixed my Official Seal at Frankfort, Kentucky, this 5th day of November, 2004.



Tybe

Trey Grayson Secretary of State Commonwealth of Kentucky Tmorgan/0025598 - Certificate ID: 6800

ſ	EXHIBIT
TANGICS.	1

Development of Annual Carrying Charge			
 Operation and Maintenance Expense (Line 53, Page 14) Customer Accounts Expense (Line 8, Page 15) Customer Expense and Informational Expense (Line 14, Page 15) Administrative and General Expenses (Line 34, Page 15) Depreciation Expense (Line 28, Page 13) Taxes Other than Income Taxes (Line 30, Page 13) 	\$3,727,393 1,075,956 214,035 1,514,814 2,968,444 43,335	Line 53, Page 14 of 2003 Annual Report Line 8, Page 15 of 2003 Annual Report Line 14, Page 15 of 2003 Annual Report Line 34, Page 15 of 2003 Annual Report Line 28, Page 13 of 2003 Annual Report Line 30, Page 13 of 2003 Annual Report	unual Report inual Report unual Report unual Report unual Report
7 Sub Total	\$9,543,977		
8 Original Utility Plant at End of 2003 - NET BOOK VALUE	\$66,205,319		
9 Rate of Return from Last General Rate Increase (Calculated as a result of PSC Case #'s 1997-224, 2000-527 and 2002-485)	5.81% NET	ET	
Carryng Charge Carly ar the state of the sta	20.23%	2023% M	
Line 7 / Line 81+ Line 9	Quantity	Plant Value	Weighted Average
Total 35' Poles in Plant (NET BOOK VALUE) Total 40' Poles in Plant (NET BOOK VALUE)	13,982 16,538	\$1,966,247 (Note 2) \$5,536,607 (Note 2)	
Totals	30,520	\$7,502,854	\$245.83 [B]
2 Party Charge per Pole Attachment [A * ((B* 95)+33.08) * 1224] (Note 1)	(Note 1)		Sei60 per Calendar year
Total 40' Poles in Plant (NET BOOK VALUE) Total 45' Poles in Plant (NET BOOK VALUE)	16,538 3,971	\$5,536,607 (Note 2) \$1,348,245 (Note 2)	
Totals	20,509	\$6,884,852	\$335 70 [C]
3 Party Charge per Pole Attachment [A * ((C ¹ .95)+33.08) * 0759] (Note 1)	(Note 1)		\$5.40 per Calendar year
Imbedded Cost of Anchors (NET BOOK VALUE)	39,833	4,003,244 (Note 2)	\$100.50 [D]
2 Party Charge - Anchors [D * A * 0.5]			\$10.16 per Calendar year.
Note 1: JPEC pole accounts includes very minor non pole material constituting 5% or less of total account value. No grounding material Is included in this account. Therefore a multiplier of .95 is used to adjust pole account values and \$33.08 is added to cover the pole grounding system. The value per pole ground of \$33.08 is the average cost per pole of pole grounding at the end of 2003 per JPEC records.	g 5% or less of tr account values a	otal account value. No gro and \$33.08 is added to cov rounds at the end of 2003 p	unding material ver the pole ber JPEC records.
Note 2: The net book value for various pole classes and anchors was determined by dividing net book value of the entire pole plant by the gross book value and multiplying the result by the gross value of each class.	ined by dividing r	net book value of the entire	pole plant by the gross book

EXHIBIT 2

Form for filing Rate Schedules

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And a second second second

ing Rate Schedules	Jacason Purchase ECC Entire Territory Served Community, Town or City				
	P.S.C. NO7				
	First Revised SHEET NO. 10.0				
	CANCELLING P.S.C. NO6				
JACKSON PURCHASE E.C.C.	Original SHEET NO. 10.0				

Name of Issuing Corporation

Three-party pole attachment \$ Two-party anchor attachment \$	ght to : \$2.27		RATE PER UNIT
In all territory served by the company on pole used by the company for their electric plant. <u>AVAILABILITY</u> : To all qualified CATV operators having the rig receive service. <u>RENTAL CHARGE</u> : The yearly rental charges shall be as follows: Two-party pole attachment \$ Three-party pole attachment \$	ght to : \$2.27		Ч
To all qualified CATV operators having the rig receive service. <u>RENTAL CHARGE</u> : The yearly rental charges shall be as follows: Two-party pole attachment \$ Three-party pole attachment \$ Two-party anchor attachment \$: \$2.27		
The yearly rental charges shall be as follows: Two-party pole attachment \$ Three-party pole attachment \$ Two-party anchor attachment \$	\$2.27		
Two-party pole attachment \$ Three-party pole attachment \$ Two-party anchor attachment \$	\$2.27		l
Two-party anchor attachment \$	\$1.75	01	PVICE COMMISSION RENTUCKY EFFECTIVE
Three-party anchor attachment \$	\$3.10 \$2.07	յլ	04 1984
Grounding Attachment Pedestal Attachment	-0- -0-	PURSUAN SE BY:	1 TO 807 MAR5:013 DECN 9/1) Leoglegan
 <u>BILLING</u>: Rental charges shall be billed yearly based on of pole attachments.—The rental charges are r rate being five percent (5%) higher. In the e current bill is not paid on or before the date the bill, the gross rates shall apply. Failur CATV operator to receive a bill or a correctly bill shall not relieve the CATV operator of it to pay for the service it has received. <u>SPECIFICATIONS</u>: A. The attachment to poles covered by this t at all times conform to the requirements of th Electrical Safety Code, 1981 Edition, and subs 	net, f event e show re of y cale ts ob ts ob tarifi he Nat	the gros the wn on the culated ligation f shall tional	
TE OF ISSUE April 9., 1987 DATE EFFECTIVE		June 4.	1984

ISSUED BY David Stiles, Jr. TITLE General Manager	_	EXHIBIT
Name of Officer		3
Issued by authority of an Order of the PUBLIC SERVICE COMMISSION OF KENTUCKY IN		

Form for filing Rate Schedules

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• A state of the state of th

Jackson Purch		
ForEntire Territ Community, T		
P.S.C. NO7		
First Revised	_ SHEET NO	10.0
CANCELLING P.S.C. NO	6	•
Original		10.0

TABBIES.

4

JACKSON PURCHASE E.C.C.

Name of Issuing Corporation

CLASSIFICATION OF SERVICE	
CTAT (Cable Television Attachment Tariff)	RATE PER UNIT
<u>APPLICABILITY:</u> In all territory served by the company on poles owned and used by the company for their electric plant.	
AVAILABILITY: To all qualified CATV operators having the right to receive service.	
<u>RENTAL CHARGE</u> : The yearly rental charges shall be as follows: Two-party pole attachment \$2 .27 6.60 Three-party pole attachment \$1.75 5.40	TWICE COMMISSION KENTUCKY FFECTIVE
Two-party anchor, attachment \$9 .10 10.16 Three-party anchor attachment \$2 .07 N/A	0 1984
Grounding Attachment. Pedestal Attachment -0- BY: -9- BY: -9-	NI TO 807 MARS:011, EDITION 942)
BILLING: Rental charges shall be billed yearly based on the number of pole attachments. The rental charges are net, the gross rate being five percent (5%) higher. In the event the current bill is not paid on or before the date shown on the bill, the gross rates shall apply. Failure of the CATV operator to receive a bill or a correctly calculated bill shall not relieve the CATV operator of its obligation to pay for the service it has received.	
<u>SPECIFICATIONS</u> : A. The attachment to poles covered by this tariff shall at all times conform to the requirement& of the National Electrical Safety Code, 1981-Edition , and subsequent latest edition	
JATE OF ISSUEApril 9., 1987 DATE EFFECTIVE June 4.	1984
ISSUED BY <u>David Stiles</u> , Jr. <u>TITLE</u> <u>General Manager</u>	

Issued by authority of an Order of the PUBLIC SERVICE COMMISSION OF KENTUCKY IN

FOR Jackson Purchase Energy Corporation
Entire Territory Served
Community, Town or City

Second Revised SHEET NO. 10.0

CANCELLING P.S.C. KY. NO. 6

First Revised SHEET NO. 10.0

CLASSIFICATION OF SERVICE

CTAT (Cable Television Attachment Tariff)

APPLICABILITY:

Jackson Purchase Energy Corporation (Name of Utility)

In all territory served by the company on poles owned and used by the company for their electric plant.

AVAILABILITY:

To all qualified CATV operators having the right to receive service.

REN	ΓAL	CHA	٨G	E:

	The yearly rental charges shall be as follow	vs:
(N)	Two-party pole attachment	\$6.60
(N)	Three-party pole attachment	\$5.40
(N)	Two-party anchor attachment	\$10.16
(D)	Three-party anchor attachment	(not available)
	Grounding Attachment	-0-
	Pedestal Attachment	-0-

BILLING:

Rental charges shall be billed yearly based on the number of pole attachments. The rental charges are net, the gross rate being five percent (5%) higher. In the event the current bill is not paid on or before the date shown on the bill, the gross rates shall apply. Failure of the CATV operator to receive a bill or a correctly calculated bill shall not relieve the CATV operator of its obligation to pay for the service it has received.

SPECIFICATIONS:

A. The attachment to poles covered by this tariff shall at all times conform

(T) to the requirements of the National Electrical Safety Code, latest edition, and subsequent

DATE OF ISSUE			
DITTE OF 10000	Month / Date / Year		
DATE EFFECTIVE	January 1, 2005		
	Month / Date / Year		,
ISSUED BY			
	(Signature of Officer)		
TITLE Pres	ident and CEO		,
BY AUTHORITY OF C	RDER OF THE PUBLIC SERVICE COMMI	ISSION	EXHIBIT
IN CASE NO2004	DATED		5
			12

NOTICE TO MEDIACOM SOUTHEAST LLC, GALAXY CABLE, INC., CHARTER COMMUNICATIONS, AND COMCAST CABLEVISION OF PADUCAH, INC.

THE APPLICATION OF JACKSON PURCHASE ENERGY CORPORATION FOR ADJUSTMENTS IN EXISTING CABLE TELEVISION ATTACHMENT TARIFF

Jackson Purchase Energy Corporation (JPEC), 2900 Irvin Cobb Drive, Post Office Box 4030, Paducah, Kentucky 42002-4030, filed an application for adjustments in existing cable television attachment tariff with the Kentucky Public Service Commission in Case No. 2004-00319. The rates contained in the application are rates proposed by JPEC; however, the Kentucky Public Service Commission may order rates to be charged that differ from the rates contained therein.

JPEC's current yearly rental charges for pole attachments and anchor attachments have been in effect since 1984. JPEC proposes to adjust these charges as follows:

	Existing	Proposed	Estimated Amount
			<u>of increase</u>
Two-Party Pole Attachment	\$ 2.27	\$ 6.60	\$ 4.33 (191%)
Three-Party Pole Attachment	\$ 1.75	\$ 5.40	\$ 3.65 (209%)
Two-Party Anchor Attachmen		\$10.16	\$7.06 (228%)
Three-Party Anchor Attachme	ent \$ 2.07	(not ava	ilable) n/a

Accompanying this notice is a copy of JPEC's application. Exhibit 9 to the application shows the effect of the proposed adjustments on annual bills.

Any corporation, association, body politic or person may by motion within thirty (30) days after publication of this notice request to intervene in the proceeding before the Kentucky Public Service Commission. That motion must be submitted to the Kentucky Public Service Commission, Post Office Box 615, 211 Sower Boulevard, Frankfort, KY 40601, and shall set forth the grounds for the request, including the status and interest of the party. Intervention may be granted beyond the thirty (30) day period for good cause shown. Intervenors may obtain copies of the application filed by contacting JPEC, Post Office Box 4030, Paducah, Kentucky 42002-4030, or by calling (270) 442-7321.

A copy of the application is available for public inspection at the office of JPEC located at 2900 Irvin Cobb Drive, Paducah, Kentucky.

By: G. Kelly Nuckols, President/CEO

	EXHIBIT
Tabics.	6
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KENTUCKY PUBLIC SERVICE COMMISSION CASE NO. 2004-00319 PREPARED TESITMONY OF G. KELLY NUCKOLS

 Please state your name and position with Jackson Purchase Energy Corporation ("JPEC").

RESPONSE:

My name is G. Kelly Nuckols and I am President and CEO of JPEC.

2. What is JPEC requesting in this filing?

RESPONSE:

JPEC is requesting adjustments in its rates for pole attachments and anchor attachments that are set forth in its Cable Television Attachment Tariff. JPEC is also requesting new text in which "1981 edition" is stricken and "latest edition" is substituted. All of the changes will occur on First Revised Sheet No. 10.0 of JPEC's present tariff, which is "Exhibit 3" to the Application. The requested changes are shown on "Exhibit 4" to the Application and then "Exhibit 5" to the Application incorporates the requested changes.

3. Why is JPEC requesting these changes at this time? RESPONSE:

ſ	EXHIBIT	STATISTICS AND ADDRESS
TINGES.	7	STORES IN STORES
		Contraction of the

The current rates have been in effect over 20 years and are out of date. JPEC wanted to make these rate adjustments sooner but believed that first an accurate count of attachments needed to be obtained. Pursuant to the Settlement Agreement and the final order in Case No. 2003-00056 there has been an actual field count of the attachments belonging to CATV operators Charter Communications, Comcast Cablevision and Mediacom. This count was recently completed and is current as of September 30, 2004. (In the case of Charter Communications the count has been substantially completed but the September 30, 2004, count is believed by JPEC to be correct.)

JPEC entered into an amendment to its agreement with its fourth CATV operator, Galaxy, and that amendment was accepted by the Commission in Filing No. 64-0084. In connection with that amendment JPEC and Galaxy stipulated to the number of Galaxy attachments.

The current number of attachments of each of JPEC's four (4) CATV operators is set forth on "Exhibit 9" to the Application. With this complete information JPEC believes it is now timely to seek adjustment of these rates.

4. If the proposed adjustments are approved, what is the amount of estimated additional annual revenue to JPEC?

RESPONSE:

Based on these actual counts, JPEC estimates that its annual revenue will be increased \$66,325 with the adjusted rates. See "Exhibit 9" to the Application.

5. How will this additional revenue affect JPEC's TIER?

As shown on line 23 of "Exhibit 10" to the Application, this results in an adjusted TIER of 1.77 as of the end of business on September 30, 2004. The commission has customarily allowed a TIER of 2.00 for electric distribution cooperatives, so this adjusted TIER is well within allowable limits.

6. Does this conclude your testimony at this time?

RESPONSE:

Yes.

KENTUCKY PUBLIC SERVICE COMMISSION CASE NO. 2004-00319 PREPARED TESTIMONY OF RICHARD SHERRILL

1. Please state your name and position with Jackson Purchase Energy Corporation ("JPEC").

RESPONSE:

My name is Richard Sherrill and I am Vice President of Engineering and Operations of JPEC.

2. What is the purpose of your prepared testimony?

RESPONSE:

To explain the steps JPEC has followed in calculating the proposed adjusted rates in this case.

3. With whom have you consulted in connection with the preparation of your testimony?

RESPONSE:

Charles G. Williamson, III who is JPEC's Vice President of Finance and Accounting. He has provided statistical and financial information.

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TABATES	8	
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4. What methodology has JPEC followed?

RESPONSE:

JPEC has followed the methodology outlined in the Commission's final order in Administrative Case No. 251 which is as follows: (1) the embedded cost of an average bare pole of the utility of the type and size which is or may be used for the provision of CATV attachment, (2) multiplied by an annual carrying charge, and (3) this product multiplied by the percentage of usable space used for CATV pole attachments. The figures and calculations are set forth on "Exhibit 2" of JPEC's application.

5. What is the basis for the quantity of 35', 40', and 45' poles and of anchors shown on "Exhibit 2" to the Application?

RESPONSE:

This information is contained in JPEC's Continuing Property Records. Four (4) pages with pertinent data are attached to my testimony as "Sherrill Exhibit 1."

6. How did JPEC determine Plant Value and Weighted Average of the poles and anchors as set forth on "Exhibit 2" to the Application?

2

RESPONSE:

Plant Value was determined by dividing net book value of the entire pole plant (\$20,697,711) by gross book value (\$25,283,928) and multiplying the result (81.833%) by the gross book value of each class. Weighted Average resulted simply from dividing the total quantity into the Plant Value amount.

Gross book value of the entire pole plant is included in JPEC's Annual Report for the year ended December 2004 which is filed with the Commission. Attached as "Sherrill Exhibit 2" is a schedule showing accumulated depreciation (account no. 108.665), which is the basis for determining net book value of the entire pole plant.

7. "Exhibit 2" to the Application shows a 5.81% rate of return. How did JPEC arrive at this figure?

RESPONSE:

Three (3) Commission cases need to be considered collectively in establishing JPEC's applicable rate of return. The first of these cases is No. 97-224 in which the final order establishes retail rates and authorizes JPEC to adopt remaining life depreciation rates for accounting purposes.

3

However, this new accounting methodology, which had the effect of accelerating depreciation, resulted in a reduced TIER that was in violation of the covenants in JPEC's mortgage with RUS. To rectify this situation, and at the same time not to increase rates, JPEC was allowed to reinstate its prior depreciation rates in Case No. 2000-527. Then, in Case No. 2002-485 new depreciation studies were filed and JPEC was ordered to implement depreciation rates for its distribution system and general assets in conformity with those studies.

JPEC's rate of return resulting from the cumulative effective of the orders in these three (3) cases is 5.81% based on the net book value of its plant at the end of 2003.

In support of JPEC's calculation of this rate of return I offer the following exhibits: Calculation of Final Rate of Return attached as "Sherrill Exhibit 3" and October 25, 2004, letter from JPEC's Vice President of Finance and Accounting attached as "Sherrill Exhibit 4," which confirms the \$223,703.00 net reduction in depreciation shown on line 6 of attached "Sherrill Exhibit 3." The \$766,005.00 net reduction allowed in Case No. 2000-527, as shown on line 5 of attached "Sherrill Exhibit 3," is set forth on page 2 of the order in that case.

- "Exhibit 2" to the Application shows a carrying charge of 20.23%. Was Commission approved methodology followed in calculating that figure?
 RESPONSE:
 - Yes. The formula for this calculation appears to the left of the 20.23% figure on "Exhibit 2" to the Application.
- 9. Please explain the authority for using the useable space percentages appearing on "Exhibit 2" to the Application.

RESPONSE:

The percentages for the pole attachments are approved by the Commission in its order in Administrative Case 251. With respect to anchors, CATV operators are allocated one-half (1/2) of the anchor space.

10. Does this conclude your testimony at this time?RESPONSE:

Yes.

	BALANCE DOLLARS	77, 188, 78	10, 183, 509, 85	ц анналияловоловона анналияловоловона арабороговоровна собороговоровона собороговороворовона собороговороворовороворовона собороговороворовороворовороворовороворовор	6282.05 6282.05 7443 177 -	196.87 2,220.22
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EXHIBIT SHERRILL EXHIBIT 1

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SHERRILL EXHIBIT 2

51

Calculation of Final Rate of Return Jackson Purchase Energy Corporation PSC Case # 97-224, # 2000-527 & # 2002-485

Per PSC 97-224, Exhibit 8, Page 12 (original filing)

1 Net Rate Base	\$ 53,862,358
2 Net Margins (97-224, Exhibit 8, Page 1, Initial Filing) Original proposed retainage of Big Rivers Power Cost Reduction	\$ 1,025,590
3 (From PSC final order)	(934,265)
Allowed retainage of Big Rivers Power Cost Reduction (from PSC 4 final order)	588,000
Add: depreciation reduction allowed in 2000-527 (to correct error in 97-224 allowing TIER below RUS requirements)	
5 (this case granted interim relief until a formal study could be done) Add: additional depreciation reduction allowed in 2002-485	766,005
(to correct error in 97-224 allowing TIER below RUS requirements)	
6 (based on formal study)	 223,703
7 Adjusted Net Margin	 1,669,033
8 Add back: long-term interest expense (97-224, Exhibit 8, page 1)	1,629,012
9 Less: non-operating margins	(88,171)
10 Less: capital credit income	 (81,345)
11 Return for calculating Rates of Returns	\$ 3,128,529
12 Adjusted Rate of Return (net rate base)	5.81%

EXHIBIT

SHERRILL EXHIBIT 3



Jackson Purchase Energy P.O. Box 4030 • 2900 Irvin Cobb Drive Paducah, KY 42002-4030 270/442-7321 • 800/633-4044

Your Cooperative Partner by Choice Visit Our Web Site www.JPEnergy.com

> EXHIBIT SHERRILL EXHIBIT 4

October 25, 2004

Mr. Frank N. King, Jr. Dorsey, King, Gray, Norment & Hopgood 318 Second Street Henderson, KY 42420

Dear Mr. King:

This letter is in reply to your request that I furnish my calculations on the effect of PSC Case Number 2002-485 on Jackson Purchase Energy Corporation's "JPEC" depreciation rates. The order in this case allowed JPEC to adopt a depreciation study on distribution assets performed jointly by Rural Utilities Services "RUS" and JPEC and a study on general asset rates performed by JPEC alone. Distribution assets are those used directly in the distribution of electricity and include such items as poles, transformers, SCADA, substations, etc., while general assets are composed of items such as buildings, transportation equipment, computers, etc. The order also allowed JPEC to depreciate general assets on an individual asset basis rather than a group method. As part of the study of general assets, it was discovered there was a significant difference between actual accumulated depreciation balances and theoretical balances. This difference was allowed to be amortized over an eight-year period by the order.

The \$223,703 in reduced depreciation was calculated as follows:

Reduction in distribution asset depreciation referred to in RUS/JPEC study	\$309,902
Increase in general asset depreciation (general assets)	(<u>\$86,199)</u>
Net reduction in depreciation (increase in income)	<u>\$223,703</u>
Net reduction in depreciation (increase in income)	<u>\$223,703</u>

Please let me know if you have any questions.

Sincerely,

Charles G. Williamson III, CPA Vice President -- Finance & Accounting



Jackson Purchase Energy Corporation Miscellaneous Charges - Projected Additional Revenue Generated: September 30, 2004

Exhibit __ Page 1 of 1

		Charges		Revenue				Increase				
	Number	Ex	isting	-	oposed	E	xisting		roposed	A	mount	Percent
1 2 Party Charge per Pole Attachment	9,331	\$	2.27	\$	6.60	\$	21,181	\$	61,585	\$	40,403	191%
2 3 Party Charge per Pole Attachment	6,597	\$	1.75	\$	5.40	\$	11,545	\$	35,624	\$	24,079	209%
3 2 Party Charge - Anchors	261	\$	3.10	\$	10.16	\$	809	\$	2,652	\$	1,843	228%
4 Total Pole Attachment Charges	16,189	:				\$	33,535	\$	99,860	\$	66,325	198%
Breakdown of Charges by Customer : (based on 9/30)2004 counts)												
5 Comcast Cable Communications - 2 Party Comcast Cable Communications - 3 Party	4,296 4,433	\$	2.27 1.75	\$	6.60 5.40	\$	9,752 7,758	\$	28,354 23,938 0	\$	18,602 16,180 0	191% 209%
Comcast Cable Communications - Anchors 6 Total Comcast Cable Communications	8,729	-	3.10		10.16	\$	0 17,510	\$	52,292	\$	34,782	199%
7 Charter Communications - 2 Party Charter Communications - 3 Party Charter Communications - Anchors	850 304	\$	2.27 1.75 3 10	\$	6.60 5.40 10.16	\$	1,930 532 0	\$	5,610 1,642 0	\$	3,681 1,110 0	191% 209%
8 Total Charter Communications	1,154	-	010		10:10	\$	2,462	\$	7,252	\$	4,790	195%
 9 MediaCom - 2 Party MediaCom - 3 Party MediaCom - Anchors 10 Total MediaCom 	1,407 1,860 <u>261</u> 3,528	\$ - -	2.27 1.75 3.10	\$	6.60 5.40 10.16	\$	3,194 3,255 809 7,258	\$	9,286 10,044 2,652 21,982	\$	6,092 6,789 1,843 14,724	191% 209% 228% 203%
11 Galaxy Cablevision- 2 Party Galaxy Cablevision- 3 Party Galaxy Cablevision- Anchors	2,778	\$	2.27 1.75 3 10	\$	6.60 5.40 10.16	\$	6,306 0 0	\$	18,335 0 0	\$	12,029 0 0	191%
12 Total Galaxy Cablevision 13 GRAND TOTAL	2,778	-					6,306 33,535	\$	18,335 99,860	\$	12,029 66,325	191% 198%

	EXHIBIT	
Tabala.	9	
	•••	

Jackson Purchase Energy Corporation Adjusted Income Statement Twelve Months Ended September 30, 2004

Exhibit __ Page 1 of 1

	Per Books	Proposed Increase	Adjusted For Proposed Rates
Operating Revenues:			
1 Electric revenues	\$ 33,859,810	\$-	\$ 33,859,810
2 Other electric revenues	842,042	66,325	908,367
	34,701,852	66,325	34,768,177
Operating Expenses:			
3 Cost of power	21,898,029		21,898,029
4 Distribution - operations	1,161,629		1,161,629
5 Distribution - maintenance	2,966,477		2,966,477
6 Consumer accounts	1,027,879		1,027,879
7 Customer service and information	159,013		159,013
8 Sales	73,214		73,214
9 Administrative and general	1,467,474		1,467,474
10	28,753,715	0	28,753,715
11 Depreciation	2,789,228		2,789,228
12 Other tax expense	43,612		43,612
13 Interest on long-term debt	1,830,477		1,830,477
14 Other interest charges	59,415		59,415
15 Other deductions	792		792
16	33,477,239	0	33,477,239
17 Operating Margins	1,224,613	66,325	1,290,938
18 Non-operating margins - interest	77,478		77,478
19 Non-operating margins - other	11,029		11,029
20 G & T capital credits	0		0
21 Other capital credits	30,224		30,224
22 Net margins	\$ 1,343,344	\$ 66,325	\$ 1,409,669
23 TIER	1.73	0.04	4 1.77

EXHIBIT
10

Jackson Purchase Energy Corporation Balance Sheet September 30, 2004	Exhibit Page 1 of 1		
Assets			
Electric Plant: In Service Construction Work in Progress Less accumulated depreciation	\$ 93,957,809 756,764 94,714,573 27,431,752		
	67,282,821		
Nonutility Property - Net	0		
Investments	4,023,720		
Current Assets: Cash and cash equivalents Accounts Receivable Materials and supplies Prepayments Other current assets	723,594 1,899,970 906,494 272,964 1,491,202		
Other assets	918,066		
Total assets	\$ 77,518,831		
Liabilities and Equities			
Members' Equities: Memberships Patronage capital	\$ 251,810 32,556,044 32,807,854		
Long-term debt (Including current portion)	39,986,531		
Current Liabilities: Accounts payable & Accumulated Operating Provisions Short-term debt Consumer deposits Other current and accrued expenses	2,214,613 - 916,764 1,417,177		
Consumer advances for construction	4,548,554		
Total Members' Equities and Liabilities	\$ 77,518,831		

EXHIBIT11
