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PUBLIC SERVICE  
COMMISSION

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of

**CMN-RUS, Inc.**

Complainant

v.

**Windstream Kentucky East, LLC**

Respondent

No. 2018-00157

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**Rebuttal Testimony of John Greenbank  
on behalf of CMN-RUS, Inc.**

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CERTIFICATE OF SERVICE

I hereby certify that on October 12, 2018, pursuant to the Commission's 8/7/18 Order ¶2, a conformed copy of the verified rebuttal testimony of John Greenbank, with three (3) attached exhibits, has been served on the attorneys for Respondent by electronic mail or by hand-delivery to: Casey C. Stansbury <cstansbury@mrrlaw.com>, Tia J. Combs <tcombs@mrrlaw.com>; MAZANEC, RASKIN & RYDER CO.; 230 Lexington Green Circle, Suite 605; Lexington, KY 40503. I have also provided PSC Staff Counsel Benjamin Bellamy with a courtesy copy of this Response in the form served on the attorneys for Respondent.

  
Attorney for Complainant

COMMONWEALTH OF KENTUCKY  
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**Rebuttal Testimony Verification**

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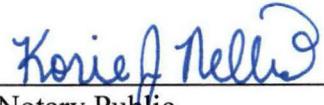
STATE OF INDIANA )

COUNTY OF VANDERBURGH )

I, John Greenbank, being duly sworn, state that the attached is my Rebuttal Testimony in the above-styled matter, that I would respond in the same manner to the questions if so asked upon taking the stand, and that my testimony is true and correct to the best of my knowledge, information, and belief formed after reasonable inquiry.

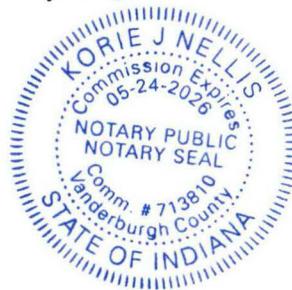
  
\_\_\_\_\_  
John Greenbank

Subscribed and sworn to this 10/5/18 day of October, 2018, before me, a Notary Public in and before said County and State.

  
\_\_\_\_\_  
Notary Public

(SEAL)

My Commission expires: 5-24-26



1 **Q1. State your name, position, and business address.**

2 A. John Greenbank, Executive Vice President, CMN-RUS, Inc. (“CMN”), and its affili-  
3 ates, Metro Fibernet, LLC, Metronet Technologies, LLC and Metronet Holdings,  
4 LLC (collectively, “MetroNet”). My business address is 3701 Communications Way,  
5 Evansville, IN 47715.

6 **Q2. Briefly, what are your duties at MetroNet?**

7 A. I am responsible for overseeing all aspects of MetroNet’s construction efforts, includ-  
8 ing the overbuilding of Fayette County with a 100% fiber-to-the-premises (“FTTP”)  
9 network in accordance with CMN’s Franchise Agreement with LFUCG.

10 **Q3. Did you previously sponsor direct testimony in this proceeding?**

11 A. Yes; it was filed on September 5, 2018. In my Direct Testimony, I discussed (among  
12 other things) the LFUC Project, the negotiations and arrangement with Windstream,  
13 MetroNet’s experience so far in attaching to Windstream East poles and the contrast  
14 with the experience attaching to poles of Kentucky Utilities Company (“KU”) in  
15 Fayette County, Kentucky.

16 **Q4. What is the purpose of your rebuttal testimony?**

17 A. In this testimony, I address the Windstream East position that it may limit CMN’s  
18 pole attachment applications and take however much time it wants to process CMN  
19 applications — despite its Tariff and providing high-volume service to others —  
20 because, it contends, (1) the Windstream Group cannot process more applications at a  
21 timely rate, or (2) if it could, it should not be required to do so for CMN pole attach-

1           ment applications because CMN is a “bad customer.” Even assuming that these con-  
 2           tentions are relevant, they are inconsistent with the facts and with Windstream’s re-  
 3           sponses and testimony given in this case.

4   **Q5. Are you sponsoring any exhibits or schedules with this testimony?**

5   A. Yes, I am sponsoring three (3) exhibits; these are documents from MetroNet records  
 6           or were prepared for purposes of this proceeding under my supervision.

7   **Q6. Can you give an update about CMN’s experience with its applications to**  
 8           **Windstream East?**

9   A. Yes. As of October 1, 2018, CMN had submitted over 100 applications to attach to  
 10           1838 Windstream East poles, and had received approval for 1373 of those poles.  
 11           Thus — more than six months after CMN began submitting applications — of an es-  
 12           timated 8583 poles to be applied for, Windstream has accepted applications for only  
 13           21.4% and granted approval for only 16.9%. The following summary table updates  
 14           the Windstream East information provided in CMN’s response to Commission Staff  
 15           Request No. 9.

<b>WIN Poles:</b> <i>as of</i>	Approved to Attach (% of Total)	Waiting on Approval (%)	Waiting to Submit (%)	Total
Aug. 22, 2018	907 (10.6%)	621 (7.2%)	7055 (82.2%)	8583
Oct. 1, 2018	1448 (16.9%)	390 (4.5%)	6745 (78.6%)	8583

16           Of the applications submitted in July 2018, two (2) had yet to be processed as of  
 17           October 1; average days before approval for the 16 approved applications was 60  
 18           days. Of the applications submitted in August 2018, 17 had been processed by  
 19           October 1, with an average per application processing time of a little over 51 days.

1 As of October 1, 2018, the other applications submitted in August 2018 have been  
2 pending on average for 55.5 days. See “Windstream LX Applications” spreadsheet  
3 attached as Exhibit 1 (CMN 00611-14); this updates the similar exhibit attached to  
4 my Direct Testimony as Exhibit 1.

5 **Q7. Is there still a contrast with CMN’s experience attaching to KU poles?**

6 A. Yes. In comparison with Windstream East’s slow overall rate and slight progress  
7 since the response to 1 PSC 9, all the anticipated pole-attachment applications have  
8 been submitted to KU, and it has approved attachment for 8957 poles. While Wind-  
9 stream East has been restricting application flow and processing speed, KU has  
10 accepted applications for 100% of a greater number of poles and granted approval for  
11 more than 83% of those poles. The following summary table updates the KU infor-  
12 mation provided in CMN’s response to Commission Staff Request No. 9:

<b>KU Poles: <i>as of</i></b>	<b>Approved to Attach (% of Total)</b>	<b>Waiting on Approval (%)</b>	<b>Waiting to Submit (%)</b>	<b>Total<sup>1</sup></b>
Aug. 22, 2018	6472 (61.0%)	3439 (32.4%)	700 (6.6%)	10,611
Oct. 1, 2018	8957 (83.8.%)	1711 (16.0%)	0 (0.0%)	10,688

13 This difference in the processing rates means that the gap between KU poles ap-  
14 proved and Windstream East poles approved is widening, and will continue to do so  
15 in the near term. The following table shows how the gap has widened in the past  
16 month:

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<sup>1</sup> The Total number as of August 22, 2018, included an estimate of how many more poles CMN would apply for; the higher Total number as of October 1, 2018, after all the pole-attachment applications had been submitted, is an actual count.

	<i>as of August 22, 2018</i>		<i>as of October 1, 2018</i>	
	Poles Approved	% of Total	Poles Approved	% of Total
KU	6472	61.0	8957	83.8
Windstream	907	10.6	1448	16.9
<b>KU-WIN gap</b>	<b>5565</b>	<b>50.4</b>	<b>7509</b>	<b>66.9</b>

1 As a result, more and more approved KU poles are being “stranded” because they are  
 2 geographically cut off from other approved KU poles by Windstream East poles for  
 3 which CMN is still waiting for attachment approval (or is waiting just to submit the  
 4 application).<sup>2</sup>

5 **Q8. What has been the effect on CMN of Windstream’s restrictions and delays?**

6 A. In my Direct Testimony, at pages 15-16, I pointed out that the effects include a loss of  
 7 momentum, failure to meet customer expectations, and an inability to compete for  
 8 customers and market share while competitors (including Windstream East) can try to  
 9 secure customers with long-term contracts and otherwise offset or neutralize the  
 10 attraction of CMN’s FTTP network. One example of the Windstream Group’s taking  
 11 advantage of the delay it is causing to CMN’s LFUC Project is the announcement in  
 12 early May 2018 that it would “invest \$2 million in high-speed Kinetic Internet ser-  
 13 vices for Lexington” for “improving network speeds to approximately 30,000 house-  
 14 holds....” (*See* Windstream 5/9/18 press release, CMN 00185). More recently,  
 15 Windstream has announced that it is hiring 80 new technicians for the Lexington area

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<sup>2</sup> An illustration of KU poles that are islands surrounded by Windstream poles was attached as Exhibit 3 to my Direct Testimony. For convenience it is also attached to this testimony as Exhibit 2, and has been marked as CMN 00615.

1 “to support its growing Kinetic internet services.” (See Windstream 9/24/18 press  
2 release/article, CMN 00419-21).

3 **Q9. Do you agree with the Windstream East position that the Windstream Group**  
4 **cannot process applications at a higher and quicker rate?**

5 A. No. Faster time frames for a greater volume of applications are reasonable and fea-  
6 sible for Windstream East and its affiliates. In part, they are reasonable because the  
7 Windstream Group must comply with such time frames in the many jurisdictions  
8 where its poles are located that the current FCC rules apply. To the extent that Wind-  
9 stream Group’s teams for processing pole attachments (*see* its response to 2 CMN 32)  
10 can meet the FCC requirements in other jurisdictions, but cannot or do not in Ken-  
11 tucky, then it is simply beggaring Kentucky relative to other jurisdictions.

12 However, Windstream East’s own words and actions also demonstrate that it  
13 is reasonable and feasible for it to accomplish and sustain a higher and quicker rate of  
14 processing. For example:

15 a. The Windstream Group’s internal flow charts and regulations do not contain  
16 the 300 Pole Rule and require adherence to the current FCC time frames (*see*  
17 Latham Direct Exh.1 (WIN 0872) and Exh.2 (WIN 0873-79), expressly  
18 applying those time frames in Kentucky (WIN 0877)).

19 b. With KIH, during the high-volume period from August 2016 to May 2017,  
20 Windstream East processed 8597 poles submitted in 393 applications. *See*  
21 Windstream East response to 2 CMN 35(d). If CMN’s intended applications  
22 to Windstream East were being processed at the same rate as the KIH ones  
23 were, then CMN’s applications would all be processed by the end of this year.

1 c. Windstream East's 9/15/17 pole attachment agreement with New Cingular  
2 (WIN 1473-1507) does not cap that entity's applications for pole attachment  
3 at 300 per 30-day period and gives it a self-help right if Windstream East  
4 takes more than 45 days to complete make-ready survey work. (See Agree-  
5 ment §8, WIN 1479-80). Windstream East does not claim that the New Cin-  
6 gular agreement is unique in these provisions, and mentions only the under-  
7 lying agreement with KIH as having a 300 Pole Rule.

8 **Q10. In its response to 2 CMN 35(a), Windstream East contends that its discrimi-**  
9 **nation in favor of New Cingular is irrelevant because its wireless attachments**  
10 **are "faster, cheaper, and easier." Is that an accurate characterization?**

11 A. No. In general, wireless attachments take more time and are more difficult and ex-  
12 pensive than fiber optic cable or other telecommunications wiring strung from pole to  
13 pole. Wireless attachments almost always take up much more vertical space on a  
14 pole, and often are sited in or above the electric space (increasing safety and opera-  
15 tional concerns). In addition, wireless attachments usually emit radio frequencies that  
16 may interfere with other attachers' systems and pose an exposure risk to those work-  
17 ing on and around those facilities. These aspects of wireless attachments require that  
18 there be more clearance space, which increases the cost, time, and trouble of make  
19 ready and attachment.

20 **Q11. Do you agree with Windstream East's position that engineering surveys and**  
21 **make ready work can only be performed by long-term employees of Wind-**  
22 **stream?**

1 A. No. Furthermore, this position is inconsistent with the support expressed by Wind-  
2 stream Group (to the FCC) for One Touch Make Ready (“OTMR”). *See* Larson Re-  
3 buttal Testimony at pages 3-4 and her Exhibit 1. OTMR puts the party most interes-  
4 ted in efficient broadband deployment, the new attacher, in a position to control the  
5 survey and make-ready processes. Having the surveying and make ready work con-  
6 ducted by the new attacher is not a new concept. For years, FCC rules have contem-  
7 plated that survey work and make-ready might be conducted by the new attacher. In  
8 fact, for years, federal regulations have mandated that a pole owner make available a  
9 list of contractors authorized by the pole owner for new attachers to use to perform  
10 surveys and make-ready work in case the pole owner fails to meet the deadlines  
11 mandated by regulation.

12 More to the point, any preference by Windstream Group for performing  
13 engineering surveys in-house or make-ready on its facilities with its own contractors  
14 is no excuse to create a bottleneck “impossibility” for processing CMN’s requests at a  
15 higher rate and more quickly. In addition, Windstream East’s stated position in this  
16 case on this issue is at odds with its actual practices. *See* Larson Rebuttal Testimony  
17 at pages 6-7.

18 I also point out that KU’s High Volume Plan (CMN 00136-46) evidences  
19 KU’s practical position that in some instances, it is appropriate to have approved con-  
20 tractors perform make ready work. (*See* CMN 00141-42). The Plan also specified  
21 that KU would retain contract designers to process the high-volume applications anti-  
22 cipated for the LFUC Project, and these contractors would perform “ any survey, in-  
23 spection, pole loading analysis, or other necessary engineering ... [and determine]

1 any required revisions to the make-ready drawings or other design materials” (CMN  
2 00139-40). Finally, I disagree that a contract worker is necessarily less qualified and  
3 experienced than a permanent employee. The FCC in its recent order addressed safe-  
4 ty and reliability concerns by specifically outlining minimum standards for contrac-  
5 tors — including, among several other requirements, following published safety and  
6 operational guidelines of the pole owner if available and if not available following  
7 NESC guidelines.

8 **Q12. Is pole attachment safety important to CMN?**

9 A. Yes. Windstream East has raised only one instance of what it considers to be unsafe  
10 aerial (pole attachment) construction conduct. This is based on the photograph pro-  
11 vided as WIN 3225. Apparently Windstream East has no written report or statement  
12 other than the photograph, but it has provided time and location information about the  
13 photograph in response to CMN Request No. 27. MetroNet is now investigating the  
14 matter so it can be appropriately addressed.

15 **Q13. What does Windstream East point to, then, to label CMN (or MetroNet) as an**  
16 **“unsafe” operator?**

17 A. Apart from the photograph, Windstream East alleges that MetroNet underground con-  
18 struction contractors have damaged its facilities, summarizing its allegations in WIN  
19 8622. Even if each of the listed incidents was caused by a MetroNet contractor,  
20 which is not the case, Windstream East does not establish that the damage is more  
21 frequent or severe than typical or that it results from unsafe practices.

22 In addition, Windstream East has been careless (or misleading) in this attempt  
23 to cast MetroNet in a negative light. In WIN 8622, it lists 32 separate claims for

1           which it asserts that MetroNet contractors are responsible. However, examination of  
2           the supporting data that CMN requested (2 CMN 31) and Windstream East produced  
3           as WIN 8257-70 and 8613-8853<sup>3</sup> quickly reveals inaccuracies and flaws in the listing:

4           a. Two of the claims Windstream Easts now notes are duplicates of other claims.  
5           (WIN 8622 rows 3, 22)

6           b. Windstream East admits that three of the claims were the fault of the locator  
7           of its facilities. (WIN 8622 rows 23, 29, 31)

8           c. For one of the claims (alleging damage at 3100 Aylesbury Cir, *id.* row 5),  
9           Windstream East has attached conflicting documentation: WIN 8625-27  
10           which lists the damager as “Microtech” with damage occurring on 3/29/18;  
11           and WIN 8640-41 which lists the damager as MetroNet with damage occur-  
12           ring on 3/28/18. MetroNet previously refuted Windstream East’s allegations  
13           about this damage claim in a letter dated April 23, 2018 (CMN 00348-43).

14           d. For 16 of these claims, the provided documentation does not state how close  
15           the damage was to the locate markings or states a distance from the damage so  
16           far beyond the markings that the strike would not be the fault of the MetroNet  
17           contractor. The Windstream internal reports omit the distance or state that the  
18           locate marks’ distance from damage is “unknown,” “not provided,” or many  
19           feet away in one instance, 18 feet away. (See WIN 8664, also WIN 8633,  
20           8637, 8639, 8643, 8647, 8649, 8651, 8653, 8658, 8662, 8668, 8671, 8673,

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<sup>3</sup> The 340 or so photographs produced as WIN 8271-8612 are not keyed to the listing at WIN 8622.

1           8677, and 8681). Fault cannot be assigned to a MetroNet contractor if the dis-  
2           tance between the markings and damage is not known, not provided, or many  
3           feet away. For example, Windstream has invoiced a contractor of MetroNet  
4           for \$17,696.05 for damage allegedly caused by the contractor at 248 Catera  
5           Trace. *See* invoice at WIN 8266. Windstream's own report (*see* WIN 8268)  
6           admits that it is "unknown" if the locates were accurate. The report of USIC  
7           with respect to the same claim (*see* WIN 8270) states that the excavation was  
8           not within the tolerance zone of the marks. If excavation was outside the  
9           tolerance zone, the MetroNet contractor was not at fault.

10           e. Windstream East alleges that there was no locate requested for two of the  
11           claims. *See* WIN 8666 and WIN 8684 (related to WIN 8622 rows 16 and 32,  
12           respectively). This is wrong, as can be seen from the notice tickets attached as  
13           Exhibit 3, CMN 00616 and CMN 00617, respectively.

14           In all, 24 of the 32 claims of responsibility are not supported by Windstream East's  
15           own documentation. This is not to say that the other eight are valid. Given that  
16           Windstream East should have known (with a little care) that at least 75% of the listed  
17           incidents should not be attributed to MetroNet contractors, it is likely that Wind-  
18           stream East has also rushed to judgment on the other eight. Furthermore, MetroNet  
19           did not receive timely notice of these claims, which effectively prevents any mean-  
20           ingful investigation by MetroNet. Although asked to provide timely notice of  
21           damage claims to MetroNet (*see* CMN 00349), Windstream East has failed to do so.

22   **Q14. Are CMN's applications for attachment to Windstream East poles deficient?**

1 A. No. I reported in my Direct Testimony (p.12 ll.6-7) that Windstream East had not  
2 rejected any application for any deficiency; the only rejection of a submitted  
3 application was because it exceeded the 300 poles per month restriction. That re-  
4 mains true today.

5 In its response to CMN's information request No. 28, for any "struggles" by  
6 CMN in submitting applications as alleged by Daniel J. King in his Direct Testimony  
7 (p.6 ll.22-23), Windstream East cites only the same five "rejected" applications listed  
8 in response to CMN's information Request No. 1(a). None of the listed applications  
9 were requests to attach to any Windstream Group pole; all were for attachment to  
10 Duke Energy poles in Indiana. Some additional notes about these five applications:

11 a. Windstream East admits that the Brownstone A Pole Application "was sub-  
12 mitted correctly," but asserts that this is (somehow) an example of CMN  
13 failing to following application processes because CMN has not attached to  
14 the poles. There is good reason that CMN has not attached to these poles. As  
15 is its prerogative, CMN declined to pay the estimated make-ready costs and  
16 decided to bury its facilities instead of attaching to those Duke poles.

17 b. In 2017, Duke's processes for submitting applications changed. All five ap-  
18 plications referred to by Windstream were submitted after those changes.

19 There is an industry-wide problem with pole-owners being vague about what  
20 is considered a complete application, and the problem is compounded when  
21 the owner changes the application process. The four applications rejected by  
22 Duke were subsequently revised, resubmitted, and approved.

1 c. The four rejected applications were submitted through KDL during the  
2 months from May 2017 to October 2017. In that same period, CMN  
3 submitted 108 applications to KDL for access to 2062 Duke poles.

4 This handful of rejected applications out of 108 submitted during a roughly six-month  
5 period in 2017 is a “struggle” only in Windstream East’s characterization. Nothing  
6 Windstream East has raised supports labeling CMN as a “bad customer,” or disquali-  
7 fies CMN from receiving timely, nondiscriminatory pole attachment service pursuant  
8 to the Windstream Tariff.

9 **Q15. Summarize again the relief CMN seeks from the Commission in this proceeding**

10 A. CMN seeks an order from the Commission directing Windstream to grant CMN ac-  
11 cess to its poles on fair, just and reasonable terms. Windstream has imposed restric-  
12 tions and delays in the pole-attachment process that are neither part of its Tariff nor  
13 fair, just, and reasonable terms for its pole-attachment service. In addition, Wind-  
14 stream’s treatment of CMN discriminates against a direct competitor, and its refusal  
15 to even negotiate toward arrangements provided to others is for the stated reason of  
16 aiding the business of an affiliate in another jurisdiction. The time frames that CMN  
17 asks the Commission to order Windstream to follow simply require it to furnish ade-  
18 quate, efficient, and reasonable service and to render that service to CMN in accord-  
19 ance with generally-applicable standards and the Windstream Tariff.

20 **Q16. Does this conclude your rebuttal testimony?**

21 A. Yes.

### Windstream LX Applications

10/1/18 date used for <i>days since submittal</i> calculation					
Windstream Application	Poles	Submittal Date	Approved Date	Days to Approve	Days Since Submittal
LX135-01W	25	3/13/18	6/6/18	85	
LX132-01W	25	3/14/18	6/6/18	84	
LX135-02W	25	3/19/18	6/6/18	79	
LX151-01W	1	4/19/18	6/13/18	55	
LX-FR01-03W	5	4/19/18	6/13/18	55	
LX064-01W	25	4/30/18	6/13/18	44	
LX-FR07-03W	1	4/30/18	6/13/18	44	
LX135-04W	25	3/17/18	6/14/18	89	
LX135-03W	25	3/18/18	6/14/18	88	
LX135-05W	25	3/17/18	6/15/18	90	
LX135-06W	3	3/18/18	6/15/18	89	
LX-FR02-01W	25	3/18/18	6/15/18	89	
LX-FR02-02W	25	3/18/18	6/15/18	89	
LX-FR02-03W	25	3/18/18	6/15/18	89	
LX-FR02-04W	10	3/18/18	6/15/18	89	
LX-FR04-05BiW	12	3/19/18	6/15/18	88	
LX167-03W	25	3/19/18	6/18/18	91	
LX167-04W	25	3/19/18	6/18/18	91	
LX-FR11-01W	1	5/23/18	6/18/18	26	
LX167-05W	22	3/19/18	6/19/18	92	
LX159-01W	2	4/19/18	6/19/18	61	
LX166-01W	1	4/19/18	6/20/18	62	
LX276-01W	6	4/19/18	6/21/18	63	
LX-FR07-01W	25	4/19/18	6/21/18	63	
LX009-01W	20	4/23/18	6/21/18	59	
LX049-01W	25	4/23/18	6/21/18	59	
LX-FR07-04W	18	4/26/18	6/21/18	56	
LX047-01W	3	4/30/18	6/21/18	52	
LX053-01W	25	4/30/18	6/28/18	59	
LX-FR05-09W	18	4/30/18	6/28/18	59	

10/1/18 date used for <i>days since submittal</i> calculation					
Windstream Application	Poles	Submittal Date	Approved Date	Days to Approve	Days Since Submittal
LX049-03W	25	5/22/18	6/28/18	37	
LX221-01W	7	5/23/18	6/28/18	36	
LX-FR09-01W	13	5/23/18	6/28/18	36	
LX-FR10-01W	2	5/23/18	6/28/18	36	
LX-FR11-02W	3	5/23/18	6/28/18	36	
LX167-01W	25	4/19/18	6/29/18	71	
LX167-02W	25	4/19/18	6/29/18	71	
LX025-01W	13	6/4/18	7/3/18	29	
LX-FR05-11W	21	6/6/18	7/3/18	27	
LX-FR07-07W	25	6/6/18	7/3/18	27	
LX-FR07-08W	25	6/6/18	7/3/18	27	
LX-FR07-02W	18	6/28/18	7/11/18	13	
LX059-01W	3	5/23/18	7/12/18	50	
LX165-01W	10	6/11/18	7/18/18	37	
LX-FR07-05W	25	6/6/18	7/20/18	44	
LX-FR07-13W	19	6/7/18	8/9/18	63	
LX-FR03-02W	4	6/18/18	8/9/18	52	
LX-FR07-09W	25	6/6/18	8/10/18	65	
LX-FR07-06W	25	6/6/18	8/13/18	68	
LX-FR07-10W	25	6/6/18	8/13/18	68	
LX-FR07-11W	25	6/6/18	8/13/18	68	
LX-FR07-12W	25	6/6/18	8/13/18	68	
LX-Winchester Reroute-01W	10	6/18/18	8/17/18	60	
LX-FR07-14W	25	6/19/18	8/17/18	59	
LX-FR07-15W	9	6/19/18	8/17/18	59	
LX-FR05-05W	25	7/5/18	8/24/18	50	
LX-FR05-06W	25	7/5/18	8/24/18	50	
LX-FR05-10W	17	7/5/18	8/24/18	50	
LX-FR06-01W	25	7/5/18	8/24/18	50	
LX-FR07-16W	5	7/5/18	8/24/18	50	
LX-FR05-07W	25	7/5/18	9/5/18	62	

**Exhibit 1**

10/1/18 date used for <i>days since submittal</i> calculation					
Windstream Application	Poles	Submittal Date	Approved Date	Days to Approve	Days Since Submittal
LX-FR05-08W	24	7/5/18	9/5/18	62	
LX-FR06-04W	10	7/5/18	9/6/18	63	
LX-FR07-18W	7	7/5/18	9/6/18	63	
LX-FR07-19W	7	7/5/18	9/6/18	63	
LX-FR06-02W	25	7/5/18	9/10/18	67	
LX-FR06-03W	25	7/5/18	9/10/18	67	
LX-FR07-17W	23	7/5/18	9/10/18	67	
LX-FR06-05W	13	7/16/18	9/20/18	66	
LX159-02W	4	7/17/18	9/20/18	65	
LX164-01W	4	7/17/18	9/20/18	65	
LX101-01W	5	8/6/18	9/25/18	50	
LX158-01W	10	8/6/18	9/25/18	50	
LX166-02W	6	8/6/18	9/25/18	50	
LX276-02W	17	8/6/18	9/25/18	50	
LX105-04W	7	8/7/18	9/26/18	50	
LX134-02W	7	8/7/18	9/26/18	50	
LX136-01W	25	8/6/18	9/28/18	53	
LX136-02W	13	8/6/18	9/28/18	53	
LX166-03W	25	8/6/18	9/28/18	53	
LX173-01W	17	8/6/18	9/28/18	53	
LX174-01W	16	8/6/18	9/28/18	53	
LX175-01W	21	8/6/18	9/28/18	53	
LX103-02W	8	8/9/18	9/28/18	50	
LX049-04W	2	8/13/18	9/28/18	46	
LX105-01W	25	8/7/18	10/1/18	55	
LX105-02W	25	8/7/18	10/1/18	55	
LX105-03W	25	8/7/18	10/1/18	55	
LX-FR08-01W	25	7/9/18			84
LX-FR08-02W	25	7/11/18			82
LX132-02W	17	8/6/18			56
LX134-01W	25	8/7/18			55

**Exhibit 1**

10/1/18 date used for <i>days since submittal</i> calculation					
Windstream Application	Poles	Submittal Date	Approved Date	Days to Approve	Days Since Submittal
LX083-06W	3	9/4/18			27
LX103-01W	25	9/4/18			27
LX133-01W	25	9/4/18			27
LX133-02W	25	9/4/18			27
LX-FR07-20W	10	9/4/18			27
LX-FR11-03W	25	9/4/18			27
LX-FR11-04W	25	9/4/18			27
LX-FR11-05W	1	9/4/18			27
LX-FR12-01W	24	9/4/18			27
LX-FR12-02W	23	9/4/18			27
LX-FR12-03W	23	9/4/18			27
LX-FR12-04W	25	9/4/18			27
LX-FR12-05W	25	9/4/18			27
LX-FR12-06W	18	9/4/18			27
LX012-01W	13	9/4/18			27
LX103-03W	2	9/6/18			25
LX104-05W	6	9/6/18			25



Blue dots = KU poles  
Green dots = Windstream poles

NORMAL NOTICE

Ticket : 1805211500 Date: 05/21/2018 Time: 15:13 Oper: MARY.ALLEN6.KY Chan:000

State: KY Cnty: FAYETTE City: LEXINGTON  
Subdivision:

Address : 2705  
Street : PLEASANT CREEK LN  
Cross 1 : RAMBLING CREEK DR  
Location: LOCATE THE NORTH EAST AND SOUTH SIDE EASEMENTS OF PROPERTY AT 2705  
PLEASANT CREEK LN

Boundary: n 38.016622 s 38.014733 w -84.432702 e -84.431169

Work type : INSTALL FIBER OPTICS  
Done for : METRONET - LX150  
Start date: 05/23/2018 Time: 15:30 Hours notice: 48/48 Priority: NORM  
Ug/Oh/Both: U Blasting: NO Emergency: N  
Duration : N/A Depth: 5 FEET

Company : HILLS ELECTRIC LLC Type: CONT  
Co addr : 2545 LAWRENCEBURG RD  
City : FRANKFORT State: KY Zip: 40601  
Caller : MARY ALLEN Phone: (502)352-6072  
Contact : JUSTIN O'NEIL - CELL Phone:  
Mobile : (502)382-6575  
Email : JPO38@AOL.COM

Submitted date: 05/21/2018 Time: 15:13  
Members: 0015 0026 0200 0237 0326 0370 0496 0700

Member Name	Facility Types
COLUMBIA GAS	GAS DISTRIBUTION
COLUMBIA GAS TRANSMISSION WINCHESTER	GAS TRANSMISSION
INSIGHT COMMUNICATIONS	CABLE TV
KENTUCKY AMERICAN WATER COMPANY	WATER
KENTUCKY UTILITIES	ELECTRIC
LEXINGTON URBAN COUNTY GOVERNMENT	SEWER
METRONET FIBER NETWORK	TELEPHONE, CABLE TV, FIBER OPTIC
WINDSTREAM KENTUCKY INC	TELEPHONE, FIBER OPTIC

NORMAL NOTICE

Ticket : 1808241372 Date: 08/24/2018 Time: 14:31 Oper: MARY.ALLEN21.KY Chan:000

State: KY Cnty: FAYETTE City: LEXINGTON  
Subdivision:

Address :

Street : SMUGGLERS NOTCH DR

Cross 1 : HUGGING BEAR LN

Location: LOCATE STARTING AT 673 SMUGGLERS NOTCH DR HEADING EAST ALONG FRONT EASEMENTS FOR APPROX 240 FEET ENDING AT AND INCLUDING 693 SMUGGLERS NOTCH DR

Boundary: n 38.019779 s 38.017300 w -84.442163 e -84.437340

Work type : INSTALL FIBER OPTICS

Done for : METRONET - LX150

Start date: 08/28/2018 Time: 14:45 Hours notice: 96/48 Priority: NORM

Ug/Oh/Both: U Blasting: NO Emergency: N

Duration : N/A Depth: 5 FEET

Company : MZAR COMMUNICATIONS INC Type: CONT

Co addr : 6260 WESTPARK DRIVE

City : HOUSTON State: TX Zip: 77057

Caller : MARY ALLEN Phone: (214)676-7986

Contact : MIKE COFFEY - CELL Phone:

Mobile : (214)676-7986

Email : M.COFFEY@MZARCOM.COM

Submitted date: 08/24/2018 Time: 14:31

Members: 0015 0026 0200 0237 0299 0326 0370 0496

Member Name	Facility Types
COLUMBIA GAS	GAS DISTRIBUTION
COLUMBIA GAS TRANSMISSION WINCHESTER	GAS TRANSMISSION
INSIGHT COMMUNICATIONS	CABLE TV
KENTUCKY AMERICAN WATER COMPANY	WATER
KENTUCKY UTILITIES	ELECTRIC
LEVEL 3 COMMUNICATIONS	FIBER OPTIC
LEXINGTON URBAN COUNTY GOVERNMENT	SEWER
WINDSTREAM KENTUCKY INC	TELEPHONE, FIBER OPTIC