

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC INVESTIGATION OF THE)	
PROPOSED POLE ATTACHMENT TARIFFS)	CASE NO.
OF INCUMBENT LOCAL EXCHANGE)	2022-00108
CARRIERS)	

COMMISSION STAFF'S THIRD REQUEST FOR INFORMATION
TO WINDSTREAM KENTUCKY EAST, LLC

Windstream Kentucky East, LLC (Windstream East), 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 July 7, 2022. The Commission directs Windstream East to the Commission's July 22, 2021 Order in Case No. 2020-00085¹ 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

¹ 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.

Windstream East shall make timely amendment to any prior response if Windstream East 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 Windstream East fails or refuses to furnish all or part of the requested information, Windstream East 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, Windstream East 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 Windstream East's proposed tariff, P.S.C. KY No. 11, Original Sheet No. 22, which states that licensees must prepay estimated field survey fees prior to Windstream East conducting the field survey. Also refer to Windstream East's response to Commission Staff's First Request for Information, Item 3, in which Windstream East states that it is not able to provide an estimate of per pole survey fees. Commission regulation 807 KAR 5:015, Section 4(2)(b)(6) requires utility's that require prepayment of survey costs to include a per pole estimate of costs in the tariff.

a. Provide a per pole estimate of survey costs including all supporting calculations.

b. Explain whether the estimated prepaid survey costs will be trued up once the survey work is complete. If so, indicate the tariff provision stating such.

2. Refer to Windstream East's proposed tariff, P.S.C. KY No. 11, Original Page No. 45 setting forth a dispute resolution process.

a. Explain whether the 90-day negotiation process would prevent a party from exercising rights under the regulation with shorter deadlines such as the allowance for a motion to stay referenced in 807 KAR 5:015, Section 6.

b. State whether language could be added to indicate that nothing would prevent a party from requesting action by a state commission or the Federal Communication Commission within a shorter period if required by law, and if so, provide such suggested language. If not, explain why such language could not be added or is unnecessary.

c. Explain why Windstream East contends that it would be reasonable for a "party seeking discovery shall reimburse the responding party the cost of reproducing documents (to include search time and reproduction time costs)."

3. Refer to Windstream East's response to Commission Staff's Second Request for Information (Staff's Second Request), Item 3.

a. Explain the circumstances under which each fee is charged.

b. Explain the work required to be performed for each component of each fee.

c. Explain whether the hourly rates consist of just base pay. If Overheads are included, provide a breakdown of the hourly rates by base pay and overheads, including support for the overhead amounts.

4. Refer to Windstream East's response to Staff's Second Request, Item 6. Provide a copy of Windstream East's proposed tariff with red line edits addressing such objections in response to this request.



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Public Service Commission
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DATED JUN 23 2022

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