

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC INVESTIGATION OF POLE)	CASE NO.
ATTACHMENTS)	2023-00416

ORDER

The Commission, on January 22, 2024, issued an Order in this proceeding that, *inter alia*, scheduled two informal conferences, one for February 9 2024, and another for March 1, 2024. The January 22, 2024 Order also allowed parties to file a list of topics to be discussed at the following informal conference. Pursuant to this, Kentucky Broadband and Cable Association (KBCA) filed a list of topics it wished to discuss at the March 1, 2024 informal conference, including requesting the opportunity to give a presentation at the beginning of the informal conference that would, “to provide a high-level status update and summary data on pending pole application activity to explain the issues impacting KBCA’s members’ ability to get their applications submitted and processed in a timely manner.”¹

KBCA, on February 28, 2024, at 4:49 P.M. Eastern Standard Time, filed a motion to continue the March 1, 2024, informal conference. As grounds for its motion KBCA states that it is working diligently to prepare the information to provide a “more robust presentation” to “enhance a meaningful dialogue . . .”²

¹ KBCA List of Issues to Be Discussed at March 1, 2024, Conference (filed Feb. 16, 2024) at 1.

² KBCA’s Motion for Continuance (filed Feb 28, 2024) at 2.

As of the issuance of this Order only one entity has responded to KBCA's motion. The electric cooperatives oppose a continuance of the March 1, 2024 informal conference, noting that KBCA had, less than two weeks before the filing of the motion for continuance, filed a list of topics to be discussed at the March 1, 2024 informal conference.³ The cooperatives argue that productive discussions could still occur in the absence of the presentation and also note that several of its representatives have already travelled in order to attend the informal conference.⁴

The Commission finds that KBCA has not provided good cause to continue the March 1, 2024 informal conference. The Commission agrees with the cooperatives that fruitful discussions can still occur in the absence of any presentation. The Commission notes that dozens of representatives of the parties to this proceeding have attended the past two informal conferences, and many of those representatives have traveled for out of town or out of state. KBCA had three weeks from the last informal conference, and two weeks from the filing of KBCA's topics of discussion, to seek a continuance yet waited until less than 48 hours before the scheduled conference to file a motion for a continuance. Such short notice alone is sufficient grounds to deny such a motion.

The Commission also finds that the next informal conference should be scheduled for March 22, 2024.

³ Response of Kentucky's Electric Cooperatives in Opposition to KBCA's Motion for Continuance (filed Feb 29, 2024).

⁴ Response of Kentucky's Electric Cooperatives in Opposition to KBCA's Motion for Continuance at 2.

IT IS THEREFORE ORDERED that:

1. KBCA's motion to continue the March 1, 2024 informal conference is DENIED.

2. An informal conference is scheduled on March 22, 2024, at 10 a.m. Eastern Daylight Time at the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky.

3. Commission Staff will contact participants by electronic mail to provide details for joining the conference by video link.

4. No later than March 8, 2024, utilities that are parties to this proceeding and all other interested persons may file a short list of issues to be discussed at the following informal conference.

5. An agenda for the informal conference will be issued no later than March 15, 2024.

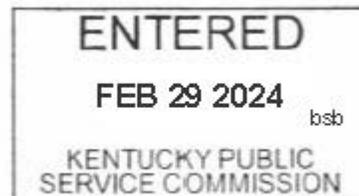
6. Parties and other participants who plan to attend the informal conferences shall, no later than March 20, 2024, contact J.E.B. Pinney, Executive Advisor to the Commission, to indicate whether they will appear in person or by video. Mr. Pinney may be reached at jeb.pinney@ky.gov or at (502) 782-2587.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner



ATTEST:


Executive Director

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