

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC INVESTIGATION OF THE)	CASE NO.
PROPOSED POLE ATTACHMENT TARIFFS OF)	2026-00014
KENTUCKY POWER COMPANY)	

ORDER

On December 10, 2025, Kentucky Power Company (Kentucky Power) filed amendments to its pole attachment tariff pursuant to 807 KAR 5:015, as amended. Kentucky Power proposed an effective date of December 3, 2025, for its tariff.¹

As a result of federal regulations regarding the extension of broadband services, the Commission initiated a proceeding to identify issues that might be addressed through changes in the regulations, rules, or tariffs governing pole attachments, which initially resulted in the promulgation of 807 KAR 5:015E (Emergency Regulation).² The Emergency Regulation was replaced by the current Regulation (Ordinary Regulation), which required tariffs consistent with the Ordinary Regulation to be filed on or before November 3, 2025, with an effective date no later than December 3, 2025.³ Because Kentucky Power did not comply with the tariff filing provisions in 807 KAR 5:015 Section

¹ The effective date proposed aligns with a date that was 30 days after the deadline established by 807 KAR 5:015 to file a final version of the proposed tariff as discussed subsequently in this Order.

² Case No. 2023-00416, *Electronic Investigation of Pole Attachments*, (Ky. PSC Dec. 14, 2023).

³ 807 KAR 5:015, Section 3(8) (effective Sep. 18, 2025).

3(8) or KRS 278.180(1), the soonest Kentucky Power's proposed tariff could be effective was January 9, 2026.⁴

On January 23, 2026, the Commission initiated this proceeding to investigate the reasonableness of Kentucky Power's proposed pole attachment tariff amendments.⁵ The tariff changes required by the amendments to 807 KAR 5:015 are intended to further streamline the pole attachment process such that the public interest would not be served by further delay; therefore, the Commission found that Kentucky Power's tariff should be accepted for filing but that, pursuant to KRS 278.190(2), the proposed tariff should be suspended up to and including June 10, 2026.⁶

The Kentucky Broadband and Cable Association (KBCA) has previously filed objections to Kentucky Power's proposed tariff in Case No. 2023-00416,⁷ consequently, for the sake of administrative efficiency, the Commission found that KBCA should be made a party to this proceeding.⁸

On February 6, 2026, KBCA filed a response stating that because the tariff complied with the regulation, KBCA did not have any formal objections at the time.⁹

On March 23, 2026, Kentucky Power filed a request to submit the matter for a decision on the record, stating that KBCA had raised no objections to the Kentucky

⁴ See 807 KAR 5:011, Section 9.

⁵ Order (Ky. PSC Jan. 23, 2026).

⁶ Order (Ky. PSC Jan. 23, 2026) at 1-2.

⁷ Case No. 2023-00416, *Electronic Investigation of Pole Attachments* (filed May 22, 2025), KBCA's Objections to 2025 Tariffs.

⁸ Order (Ky. PSC Jan. 23, 2026) at 2.

⁹ KBCA's Response to Commission Order (filed Feb. 6, 2026) at 1.

Power's proposed tariff, no intervenor testimony was submitted, and denoting that the remaining deadlines in the procedural schedule have become moot.¹⁰

Having reviewed the record and being otherwise sufficiently advised, the Commission finds that Kentucky Power's filed amendments to its pole-attachment tariff pursuant to 807 KAR 5:015, are reasonable and consistent with the Commission's rules. The Commission also finds that the remaining deadlines in the procedural schedule have become moot and Kentucky Power's tariff shall become effective as of the date of this Order.

IT IS THEREFORE ORDERED that:

1. The Commission grants Kentucky Power's motion to submit on the record.
2. Kentucky Power's tariff is reasonable and effective on and after the date of this Order.
3. Within 20 days of the date of service of this Order, Kentucky Power shall file with the Commission their proposed tariff, setting out the terms approved herein, and reflecting that they were approved pursuant to this Order.
4. This case is closed and removed from the Commission's docket.

¹⁰ Kentucky Power's Request to Submit for a Decision (filed Mar. 23, 2026) at 2.

Entered on this 12th day of June, 2026.


PUBLIC SERVICE COMMISSION




Angie Hatton
Chair



Mary Pat Regan
Commissioner



Andrew W. Wood
Commissioner



Barry L. Mayfield
Commissioner

ATTEST:



Linda C. Bridwell, PE
Executive Director

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