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Case Management System - KY Public Service Commission

Regular Cases Before the Commission as of March 28, 2024

2012-00544 RECEIVED: 12/03/12 FILED: 12/03/12 FINAL: 10/30/15 REOPENED: 08/06/13
SUSPENSION DATE:

CASE NATURE: Kentucky Cable Telecommunications Association

CASE CODE
Declaratory Order

HEARINGS:

04/16/15	Informal Conference
10/03/13	Informal Conference

INDEX OF EVENTS:

10/30/15	Order Entered: 1. KCTA's petition for a declaratory order is denied. 2. KCTA's motion for summary judgment is denied. 3. The TVA Cooperatives motion for summary judgment is granted based upon the TVA's preemption of Commission authority over the pole attachment rates of the TVA Cooperatives.
06/12/15	Edward T. Depp Memorandum in Opposition to the KCTAs Motion for Summary Judgment
06/12/15	Janice Theriot Kentucky Cable Telecommunications Associations Opposition to the TVA Cooperatives Motion for Summary Judgment
05/12/15	Edward T. Depp Motion for Summary Judgment
05/06/15	Order Entered: The procedural scheduled set forth in the Appendix to this Order shall be followed in this proceeding. 2. No representative of the TVA Cooperatives or their counsel will take any action regarding (including any review of) KCTA's pending motion for Summary Judgment until after the TVA Cooperatives' motion for Summary Judgment is filed on May 12, 2015. 3. Motions for extensions of time with respect to the schedule herein shall be made in writing and will be granted only upon a showing of good cause. 4. Nothing contained herein shall prevent the Commission from entering further Orders.
05/06/15	Janice Theriot Submission of Deposition Transcript of David E. Smart, West Kentucky Rural Electric Cooperative Corporation
05/06/15	Janice Theriot Submission of Deposition Transcript of Debra Weatherford, Hickman-Fulton Counties Rural Electric Cooperative Corporation
05/06/15	Janice Theriot KCTAs Submission of Deposition Transcript of Eston W. Glover, Jr, Pennyrile Rural Electric Cooperative Corporation
05/06/15	Janice Theriot Submission of Deposition Transcript of Paul Thompson, Tri-County Electric Membership Corporation
05/06/15	Janice Theriot Submission of Deposition Transcript of Warren Ramsey, Warren Rural Electric Cooperative Corporation
04/30/15	Memorandum dated 4/30/2015 for Informal Conference of 04/16/2015; Comments, if any, due within five days of receipt
04/17/15	Commission Staff's Notice of Informal Conference
04/17/15	Edward T. Depp Joint Motion of TVA Cooperatives and Kentucky Cable Telecommunications Association for Procedural Order.
04/13/15	Janice Theriot Kentucky Cable Telecommunications Associations Motion for Summary Judgment
01/22/15	Edward T. Depp Letter requesting PSC to amend service list.
01/08/15	Order Entered: 1. KCTA's motion to compel answers to Item 20 of its First Request for Information to the TVA Cooperatives as set forth in Appendix A to this Order is denied. 2. KCTA's motion to compel answers to Item's 1-2, 1-3, 1-5 and 1-8 of its First Request for Information to the TVA Cooperatives is denied. 3. KCTA's motion to compel the production of: (1) the pole attachment rates each of the TVA Cooperatives charged to Incumbent Local Exchange Carriers and cable companies for the last ten years; (2) the invoices the TV A Cooperatives issued to pole users for pole attachment fees for the last three years; (3) the pole attachment revenue the TVA Cooperatives receive from its licensed users dating from 2008; and, (4) the "surplus revenues" of the TVA Cooperatives' contracts with the TVA is denied. 4. KCTA's motion to compel the answer as to whether the TVA Cooperatives or their representative have discussed with the TVA whether a representative from the TVA will testify on the TVA Cooperatives' behalf and the identity or identities of those individuals is granted to the limited extent that the TVA Cooperatives should state whether they

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	have determined which witnesses they would present at formal hearing, and, if so, names of witnesses. 5. KCTA's request to compel production of all pole attachment agreements, joint use agreements and pole license agreements between TVA Cooperatives and pole users is denied. 6. TVA Cooperatives' motion to cancel depositions is denied.
10/16/14	Janice Theriot Reply to TVA Cooperatives Response to Second Status Report and Request for Action
10/13/14	Edward T. Depp THE TVA COOPERATIVES' RESPONSE TO KCTA'S SECOND STATUS REPORT AND REQUEST FOR ACTION
10/06/14	Janice Theriot Second Status Report and Request for Action
05/22/14	Order Entered: Gardner F. Gillespie and Amanda Lanham are admitted pro hac vice for the purpose of representing KCTA in the above-styled proceeding, provided that Janice M. Theriot, Laurence J. Zilke, or another member of the Kentucky Bar Association acts as co-counsel and is present at any and all proceedings before this Commission.
05/13/14	Memorandum dated 5/13/2014 for Informal Conference of 10/03/2013; Comments, if any, due within five days of receipt
04/10/14	Janice Theriot Reply in Support of KCTAs Status Update and Request for Action
04/08/14	Edward T. Depp Response to Kentucky Cable Telecommunications Associations Status Report and Request for Action.
04/01/14	Janice Theriot Status Report and Request for Action
03/04/14	Edward T. Depp Notice of Substitution of Counsel
02/24/14	Janice Theriot Legal Opinion of the Tennessee Attorney General regarding State Regulation of Pole Attachment Rates of TVA-Supplied Electric Cooperatives
02/19/14	Order Entered: 1. The TVA Cooperatives' motion requesting that the depositions scheduled on February 24, 2014, be stayed until the Commission rules on KCTA's Motions to Compel, filed on November 20, 2013, and January 2, 2014, is granted. 2. The TVA Cooperatives' motion to cancel or limit the scope of the depositions noticed by KCTA on January 15, 2014, is deferred for consideration in conjunction with a decision of KCTA's pending Motions to Compel.
02/17/14	Tennessee Valley Authority's Reaffirmation of Position
02/14/14	Joseph A. Newberg, II Reply in support of the TVA Cooperatives Motion for a Protective Order.
02/10/14	Janice Theriot Supplemental Discovery Response
02/10/14	Janice Theriot KCTA Opposition to Motion for Protective Order
02/10/14	Janice Theriot Additional Supplemental Documents
02/06/14	Joseph A. Newberg, II Motion for a Protective Order
01/29/14	Janice Theriot Reply in support of KCTAs motion for a subpoena duces tecum to the Tennessee Valley Public Power Association
01/22/14	Joseph A. Newberg, II The TVA Cooperatives Response in Opposition to KCTAs Motion for Issuance of a Subpoena Duces Tecum.
01/16/14	Janice Theriot Reply by the KCTA to its Second Motion To Compel
01/15/14	Janice Theriot Motion for Subpoena Duces Tecum and Notices to take Depositions
01/15/14	Joseph A. Newberg, II The TVA Cooperatives Notice of Deposition(s)
01/09/14	Joseph A. Newberg, II The TVA Cooperatives Response to KCTAs Jan. 2, 2014 Motion to Compel.
01/02/14	Janice Theriot KCTA Motion To Compel TVA Coops to Produce Documents Withheld on the Basis of the Attorney Client Privilege and Documents Responsive to KCTAs Supplemental Request for Information
12/23/13	Joseph A. Newberg, II Hickman-Fulton RECCs response to KCTAs Supplemental Requests for Information.
12/23/13	Joseph A. Newberg, II Warren RECCs response to KCTAs Supplemental Requests for Information
12/23/13	Joseph A. Newberg, II Tri-County EMCs response to KCTAs Supplemental Requests for Information
12/23/13	Joseph A. Newberg, II Pennyrile RECCs response to KCTAs Supplemental Requests for Information
12/23/13	Joseph A. Newberg, II West Kentucky RECCs response to KCTAs Supplemental Requests for Information.
12/23/13	Janice Theriot KCTAs Responses to TVA Cooperatives Second Date Requests
12/03/13	Janice Theriot Reply to Motion to Compel
12/02/13	Joseph A. Newberg, II Pursuant to the October 10, 2013 procedural order, the TVA Cooperatives submit their Second Data Requests to the Kentucky Cable Telecommunications Association.

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12/02/13	Janice Theriot Supplemental Requests for Information
11/27/13	The TVA Cooperatives Response to KCTAs Motion to Compel Response to Kentucky Cable Telecommunications Associations ("KCTA") Motion to Compel the TVA Cooperatives to Produce Cost Data in Response to KCTAs First Request for Information.
11/20/13	Janice Theriot Motion to Compel Cost Data
11/14/13	Edward T. Depp Response to KCTAa First Requests for Information
11/14/13	Janice Theriot KCTA Response to TVA Coops Data Requests
11/14/13	Edward T. Depp Response to Kentucky Cable Telecommunications Assocations First Requests for Information
11/14/13	Edward T. Depp Response to Kentucky Cable Telecommunications Associations First Requests for Information
11/14/13	Edward T. Depp Response to Kentucky Cable Telecommunications Associations First Requests for Information
11/14/13	Edward T. Depp Response to Kentucky Cable Telecommunications Assocations First Requests for Information
11/08/13	Janice Theriot Motion to admit counsel pro hac vice
10/24/13	Janice Theriot Data Requests
10/24/13	The TVA Cooperatives First Data Requests to KCTA Pursuant to the October 10, 2013 procedural order in this matter, the TVA Cooperatives are filing their first data requests to KCTA.
10/10/13	Order Entered: 1. The procedural schedule set forth in the Appendix to this Order shall be followed in this proceeding. 2. Any party who submits a motion to intervene after October 17, 2013, and upon a showing of good cause, is granted full intervention shall accept and abide by the existing procedural schedule. 3. a. Responses to requests for information shall be filed in accordance with the electronic filing procedures set forth in 807 KAR 5:001, Section 8. Each response shall include the name of the witness responsible for responding to the questions related to the Information provided. Any request for information by letter from the Commission Staff shall be responded to as if set forth in a Commission Order. b. Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or an association or a governmental agency, be accompanied by a signed certification of the preparer or person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person’s knowledge, information, and belief formed after a reasonable inquiry.
09/20/13	Commission Staff Notice of Informal Conference
08/06/13	Order Entered: KCTA's application for rehearing is granted.
07/30/13	Janice Theriot KCTAs Reply to Response to Application for Rehearing
07/25/13	Edward T. Depp Response to KCTAs July 18, 2013 Application for Rehearing
07/19/13	Notice of Change of Address Notice of Change of Address for Counsel of Record for the Kentucky Cable Telecommunications Association
07/18/13	Janice Theriot Motion to Reconsider
06/28/13	Final Order Entered: KCTA's petition is denied and this case is removed from the Commission's docket.
06/18/13	Memo filing documents into the record
03/01/13	Janice Theriot Reply of the KCTA to the TVA
02/15/13	Edward T. Depp The TVA Cooperatives Response to the January 17, 2013 Order.
01/24/13	Janice Theriot KCTAs Response To Commissions January 17, 2013, Order Requiring a Listing of the Cable Companies On Whose Behalf the KCTA Petition Was Filed
01/17/13	Order Entered: (1) This case is established to review KCTA's petition for a Declaratory Order. (2) A copy of this Order and KCTA's petition shall be served on the five TRA Cooperatives named in the KCTA petition. (3) The five TRA Cooperatives shall have 30 days for the date of this Order to individually or jointly file a response to the jurisdictional issues set forth in KCTA's petition. (4) KCTA shall file within 10 days of the date of this Order a list of the cable companies on whose behalf the KCTA petition was filed. (5) KCTA's motion for election of electronic filing is granted. All participants shall follow the electronic filing procedures found in 807 KAR 5:001, Section 8.
12/13/12	Acknowledge Receipt of Filing
12/03/12	KCTA's Petition for a Declaratory Order that the Commission has Jurisdiction to Regulate the Pole Attachment Rates, Terms, and Conditions of Cooperatives that Purchase Electricity form the Tennessee Valley Authority and Request to use Electronic Case Filing Procedures

Total Number of Cases: 1