

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

The Petition of the Kentucky Cable)
Telecommunications Association for)
a Declaratory Order that the) Case No. 2012-00544
Commission Has Jurisdiction to)
Regulate the Pole Attachment Rates,)
Terms, and Conditions of Cooperatives))
That Purchase Electricity from)
the Tennessee Valley Authority)

DEPOSITION FOR PETITIONER

*** *** ***

DEPONENT: DEBRA WEATHERFORD, CR 30.02(6) Designee of
 Hickman-Fulton Counties Rural Electric
 Cooperative Corporation

TAKEN: MARCH 11, 2015

BY: LINDSEY N. McMICHAEL, Certified Reporter

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COUNSEL and Co-Counsel only.

1 This deposition, under oath, of Debra Weatherford
2 was taken by me, Lindsey N. McMichael, Certified Court
3 Reporter and Notary Public, on March 11, 2015, beginning at
4 approximately 12:51 p.m., Central Standard Time, at the
5 Hopkinsville Golf & Country Club, 303 Country Club Lane,
6 Hopkinsville, Kentucky 42240. Said examination was taken
7 pursuant to Notice, for purposes of discovery, and as
8 provided by the Kentucky Rules of Civil Procedure.

9 *** **

10
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Transcript Legend:

- (ph) (Phonetically)
- [sic] (In its original form)
- ... (Trailing off or did not complete thought)
- (Interjection of thought for clarification)
- (Interruption of thought or speech)

1 DEBRA WEATHERFORD,

2 a witness, called upon oral examination by counsel for the
3 Petitioner, having been first duly sworn, was examined and
4 testified as follows:

5
6 EXAMINATION

7 BY MR. GILLESPIE:

8 Q. Okay. Ms. Weatherford, I'm Gardner Gillespie. I
9 represent the Kentucky Cable Telecommunications Association.
10 Would you state your name and address for the record, please?

11 A. Debra Weatherford, 5038 State Route 58 East,
12 Clinton, Kentucky 42031.

13 Q. Okay. Have you had your deposition taken before?

14 A. I have not.

15 Q. Okay. Let me explain the process. I'm going to
16 be asking you questions to which I need a verbal response
17 that the court reporter can take down. So, I need a verbal
18 answer, rather than a nodding or shaking of the head or -- or
19 a uh-huh or huh or something like that, okay?

20 A. Okay.

21 Q. I'm going to expect that, if you give me an
22 answer, that you've understood the question. If you don't
23 understand the question, ask me -- tell me and ask me to
24 rephrase it and we can discuss it and I'll try to give you a
25 question that you can understand and answer, okay?

1 A. Okay.

2 Q. Are you on any medication or is there any other
3 reason why the Commission, in this proceeding, cannot count
4 on your testimony as being true and correct?

5 A. No.

6 Q. Okay. You understand that you are testifying on
7 behalf of Hickman-Fulton Cooperative?

8 A. Yes.

9 Q. And that your answers will be taken as the
10 answers of the cooperative?

11 A. Yes.

12 Q. Okay. We have copies of two deposition notices.
13 MS. LANHAM: This is the original.

14 Q. Okay. We'll have marked as Exhibit 12 the Notice
15 of Deposition that was sent out on January -- January 2014.
16 I don't have the date here, but.

17 (WHEREAS, EXHIBIT NO 12 WAS ENTERED)

18 MS. LANHAM: Here's the Revised Notice.

19 Q. Okay. And we'll mark as Exhibit 13 the Revised
20 Notice of Deposition that was sent a few days ago and it's
21 been revised in accordance with the Order of the PSC that I
22 think is Exhibit 2.

23 (WHEREAS, EXHIBIT NO 13 WAS ENTERED)

24 Q. Ms. Weatherford, take a look at these two
25 documents and just confirm that you've seen these before.

1 A. (Witness reviews documents.) I have not seen
2 Exhibit 12 before today.

3 Q. Okay.

4 A. I have seen Exhibit 13.

5 Q. Okay. Exhibit 13 is the operative document. So,
6 you're prepared to answer questions in the areas covered in
7 the attachment to Exhibit 13?

8 A. As best as I can.

9 Q. Okay. What did you do to prepare for this
10 deposition?

11 A. I did meet with the lawyer on Friday just to go
12 over legal terms that would be used in the deposition.

13 Q. What do you mean, to go over the legal terms?

14 A. Just what an objection would be.

15 Q. The process?

16 A. Yes.

17 Q. Okay. This was Mr. Depp?

18 A. Yes.

19 Q. And this was in association with other
20 representatives of cooperatives?

21 A. Yes.

22 Q. Okay. And were there representatives of each of
23 the five TVA cooperatives there?

24 A. I am not sure.

25 Q. Okay. So, did you review documents?

1 A. No.

2 Q. Other than your meeting with the lawyer on
3 Friday, have you discussed the subjects of the deposition
4 with anyone?

5 A. No.

6 Q. Have you made any effort to educate yourself
7 regarding the topics of the deposition?

8 A. No.

9 Q. Now, you understand that you're the cooperative
10 representative in all of the areas covered by the attachment
11 to Exhibit 13?

12 A. Yes.

13 Q. You believe that you know those areas so well
14 that you don't need to spend anymore time to educate yourself
15 regarding them?

16 A. No.

17 Q. So, you were not advised that you would have an
18 obligation to be able to answer questions in those areas?

19 A. Yes.

20 Q. You were or were not?

21 A. I knew -- I saw this this morning. Not this
22 morning. Yesterday morning.

23 Q. Okay. By this, you mean Exhibit 13?

24 A. Yes.

25 Q. So, the first time that you had seen the

1 Deposition Notice and the subjects that you will be examined
2 on was yesterday morning?

3 A. Yes.

4 Q. After your meeting with the other cooperatives
5 and counsel?

6 A. Yes.

7 Q. All right. Well, I'm not going to fill the
8 record with my views of what the obligations are in
9 connection with a 30.02(6) type deposition, but we'll see how
10 far we go. What's your current position?

11 A. On March 2nd, I was made interim president and
12 CEO.

13 Q. Okay. And what are your duties as interim
14 president and CEO?

15 A. To oversee the operations of the electric coop
16 and to provide safe, reliable electricity to the members.

17 Q. And prior to March 2nd, were you also employed by
18 Hickman-Fulton?

19 A. Yes.

20 Q. What was your position?

21 A. Business and member services manager.

22 Q. And what were your responsibilities as business
23 and member services manager? Is that what you said?

24 A. Yes. To oversee the accounting process and the
25 customer service process.

1 Q. Did you have any responsibilities with respect to
2 pole attachments?

3 A. I sent out invoices.

4 Q. Anything else?

5 A. No.

6 Q. And how long did you hold the position of
7 business and member services manager?

8 A. Six years.

9 Q. And prior to that, what did you do?

10 A. General accountant.

11 Q. A general accountant for the cooperative?

12 A. Yes.

13 Q. And how long were you a general accountant?

14 A. About 12 years.

15 Q. And prior to that?

16 A. Plant accountant and cashier.

17 Q. And that was at the cooperative also?

18 A. Hickman-Fulton, yes.

19 Q. And how long did you hold that position?

20 A. Approximately six.

21 Q. Okay.

22 A. I've been there 24 and a half years.

23 Q. And what's your educational background?

24 A. I graduated from the University of Tennessee at
25 Martin with a Bachelor in Business Administration.

1 Q. Okay. Do you have any post college --

2 A. No.

3 Q. Okay. Let me ask you to look at Exhibit --
4 Exhibit No. 4. Have you seen that document before?

5 A. No.

6 Q. Are you able to answer questions about this
7 document, do you believe?

8 A. I have not seen the document before, so I do not
9 know how to answer that question.

10 Q. Okay. Well, look at Exhibit No. 5. Have you
11 seen that document before?

12 A. (Witness reviews document.) No.

13 Q. Okay. Look at what I think is Exhibit --

14 MS. LANHAM: Those are the exhibits to -- Those
15 are the exhibits to Exhibit 4.

16 MR. GILLESPIE: I don't see it in here.

17 MS. LANHAM: In your paper?

18 MR. GILLESPIE: In my copy. Take a look at
19 Exhibit No. 2 in that document, Exhibit No. 5.

20 MS. LANHAM: I think it's clipped to --

21 MR. DEPP: This?

22 MS. LANHAM: Yeah, I believe so.

23 BY MR. GILLESPIE:

24 Q. Is that a -- Is that a letter from Cynthia Herron
25 to Hickman-Fulton?

1 A. Yes.

2 Q. And who is it addressed to?

3 A. Mr. Gregory H. Grissom, Hick -- manager,
4 president, and CEO, Hickman-Fulton County Rural Electric
5 Cooperative Corporation.

6 Q. He -- He was the president and CEO at that time?

7 A. Yes.

8 Q. And have you seen this letter before?

9 A. No.

10 Q. Do you know who Cynthia Herron is?

11 A. Yes.

12 Q. Do you know if anyone from Hickman-Fulton
13 discussed the subject matter of this letter prior to its
14 being written?

15 A. I do not know that.

16 Q. Let's mark as exhibit -- Are they both together?
17 One exhibit is two?

18 MS. LANHAM: This is the request.

19 MR. GILLESPIE: The responses, yeah.

20 MS. LANHAM: This is the -- It's all in one.

21 MR. GILLESPIE: Okay.

22 MS. LANHAM: This is the first.

23 MR. GILLESPIE: Okay. As Exhibit 14, the -- two
24 sets of data responses by Hickman-Fulton in this proceeding.

25 MS. LANHAM: Let me grab that one, sorry.

1 MR. GILLESPIE: Pardon me?

2 MS. LANHAM: Let me grab the other supplemental.

3 MR. GILLESPIE: Oh, it's -- okay.

4 MS. LANHAM: I apologize. I misunderstood.

5 MR. DEPP: That's all right.

6 BY MR. GILLESPIE:

7 Q. Okay. Exhibit 14 is the first set of data
8 responses and I'd like to mark, as Exhibit 15, the second set
9 of data responses.

10 (WHEREAS, EXHIBIT NOS 14 AND 15 WERE ENTERED)

11 MS. LANHAM: Again, the verification is loose.

12 Q. And the verification to the second set is not
13 stapled. Let's talk first about Exhibit No. 14. Ms.
14 Weatherford, are you familiar with Exhibit 14?

15 A. No.

16 Q. Have you ever seen that document before?

17 A. No.

18 Q. Let me ask you to look at the front page. Do you
19 see the first question, item one, says, (reading) do you
20 contend that the TVA regulates your pole rates in any way?
21 Response, yes. Witness, Debbie Weatherford.

22 Did you authorize anyone to list you as a witness
23 with respect to this -- to that answer?

24 A. We answered a survey last year, but I do not
25 remember the questions or the answers.

1 Q. Okay. What do you mean, a survey?

2 A. I believe there was something that was sent to us
3 telling us to respond, but I cannot remember what it was.

4 Q. Okay. Do you remember being asked this question?

5 A. I do not.

6 Q. Turn to the second page, item two. It has a
7 question and a response which includes an objection and then
8 an answer and you're listed as the witness there. Have you
9 -- Do you recall being asked that question?

10 A. I am not sure.

11 Q. Okay. And do you recall anything about the
12 answer given?

13 A. I am not sure.

14 Q. Okay. Take a look through the next couple of
15 requests and answers and tell me if you recall having been
16 asked to respond to the question and whether you recall
17 anything about the answers, okay?

18 A. (Witness reviews document.)

19 Q. What number are you on now?

20 A. Item seven.

21 Q. Have you recognized anything yet?

22 A. Not that I recall.

23 Q. Okay. Let's look at Exhibit No. 15. Do you want
24 to turn to Exhibit 15, the other document? Okay. Well, just
25 for the record, you're thumbing through the rest of Exhibit

1 14. Fair enough.

2 A. But I do recognize some of the data before that.

3 Q. What data do you recognize?

4 A. Exhibit 9, those are our customers that we have
5 pole attachments with.

6 Q. This is item nine?

7 A. Yes.

8 Q. Okay.

9 A. In response to your question for item 15, Greg
10 Grissom would've been the one having the communication
11 between Hickman-Fulton RECC and TVA.

12 Q. Sorry. That's item what?

13 A. Item 15.

14 Q. Okay. And what is it about -- You say item 15,
15 that if there is any -- was any communication, it would've
16 been by Mr. Grissom?

17 A. That's correct.

18 Q. Do you know whether there was such communication?

19 A. I do not know.

20 Q. Okay. Anything else that you can tell us about
21 these responses?

22 A. I recognize item 12 as being Greg -- Greg for
23 Hickman-Fulton RECC; and the other items, I would have to
24 look back on my documents to see.

25 Q. Okay. What is it about item 12 that you

1 recognize?

2 A. That is our method to calculate pole attachment
3 rates.

4 Q. Through the TVPPA/AT&T agreement?

5 A. That is correct.

6 Q. Are you familiar with that agreement?

7 A. I am not.

8 Q. Okay. And you said that, with respect to the
9 others, you'd have to look back at your documents. What did
10 you mean by that?

11 A. To see if the dollar amounts are correct that are
12 stated in this.

13 Q. Oh, okay. So, for example, on item 13, there are
14 dollar amounts there and you would have to check your records
15 to see if that's -- those are correct?

16 A. Yes.

17 Q. Okay. And -- But you don't recall having
18 provided this information?

19 A. Yes, I do these.

20 Q. You recall providing information, you just don't
21 know whether the numbers are correct without reviewing other
22 documents, is that what you're saying?

23 A. That is correct.

24 Q. Okay. And that's not something that you did
25 prior to this deposition, I assume, correct?

1 A. I did not review those before this deposition.

2 Q. Okay. And item 14, these are also numbers that
3 -- information that you provided for these responses?

4 A. That is correct.

5 Q. But you can't vouch for the accuracy of them; is
6 that right?

7 A. That is correct.

8 Q. Okay. Let's go to Exhibit No. 15. Are you
9 familiar with this document?

10 A. (Witness reviews document.) I am not.

11 Q. Okay. Did you receive a survey with respect to
12 this document, do you know?

13 A. I am not sure.

14 Q. Okay. And you see that, with respect to -- it
15 appears most of these answers, that you have been listed as
16 the witness?

17 A. Yes, I see that.

18 Q. But you don't recall having provided information
19 with respect to the -- let's look at the first nine answers,
20 for example?

21 A. (Witness reviews document.) I am not sure.

22 Q. Okay. Why don't you spend a couple of minutes
23 and thumb through the rest of this exhibit and see if there's
24 anything in here that you remember or remember having
25 provided any information for.

1 A. (Witness reviews document.) I'm not sure.

2 Q. Okay. Do you see at the end of that exhibit,
3 that extra page that you're looking at?

4 A. This, yes.

5 Q. Yeah. Is that a verification? It's the last
6 page of the exhibit.

7 A. Yes.

8 Q. Okay. Is that your signature?

9 A. Yes.

10 Q. And does this say that you verify, state, and
11 affirm that you prepared or supervised the preparation of the
12 data request responses? Do you see that?

13 A. Yes.

14 Q. Is this verification correct?

15 A. Yes.

16 Q. So, you -- Tell me, what role did you play in
17 connection with these data responses?

18 A. I answered according to what the manager at that
19 time --

20 Q. So, you were --

21 A. -- instructed me to.

22 Q. So, you did -- you gave the answers, is that what
23 you're saying?

24 A. I believe he gave the answers and I signed off on
25 that.

1 Q. Okay. Do you know why you signed off on the
2 answers, rather than him?

3 A. Pardon? Repeat the question, please.

4 Q. Can you tell me why you signed off on the answers
5 rather than him?

6 A. He instructed me to.

7 Q. That's the -- That was Mr. Grissom?

8 A. Yes.

9 Q. So just so I understand, these answers, as far as
10 you know, were the answers of Mr. Grissom, but you signed the
11 verification; is that right?

12 A. As far as I know.

13 Q. Okay. And so -- So, that was the extent of your
14 involvement with this?

15 A. Yes.

16 Q. And there's another verification on Exhibit No.
17 14 that also bears your signature, I believe. Do you see
18 that?

19 A. Yes.

20 Q. So, these answers also were the responses from
21 Mr. Grissom, right?

22 A. I am not sure.

23 Q. Okay. You don't know whose they were?

24 A. That is correct.

25 Q. But -- But you signed the verification, right?

1 A. Yes.

2 Q. And did you prepare these answers?

3 A. I am not sure.

4 Q. What do you mean, you're not sure?

5 A. I am not sure.

6 Q. Did you supervise the preparation of the answers?

7 A. I did not supervise that.

8 Q. Now, when you say you're not sure, are -- you
9 don't remember or -- or do you mean something else?

10 A. I am not sure in what conversation these answers
11 were gathered from.

12 Q. Okay. So, you don't know what role you played in
13 connection with these answers?

14 A. That is correct.

15 Q. Do you know what Hickman-Fulton did to look for
16 documents that were requested in connection with these data
17 requests?

18 A. I do not.

19 Q. Okay. Did you have any role in looking for
20 documents in connection with the data requests?

21 A. I did not.

22 Q. Okay. Look at Exhibit 14, item number two. It's
23 on the second page. And look at the second sentence in the
24 second paragraph of that response. And this states, quote,
25 the TVA regulates these rates and services through the

1 expressed terms of its wholesale Power Contract with Hickman-
2 Fulton, close quote. Do you see that?

3 A. Yes.

4 Q. Can you tell me what rates and services are
5 covered by this sentence or what rates and services mean?

6 A. I am not sure.

7 Q. Okay. Are you familiar with the wholesale Power
8 Contract of Hickman-Fulton?

9 A. No, I am not.

10 Q. Okay. Do you know whether Hickman-Fulton has
11 determined what the costs associated with pole attachment
12 rentals are?

13 A. Repeat the question, please.

14 Q. Do you know whether Hickman-Fulton has determined
15 what the costs associated with pole attachment rentals are?

16 A. We go by the Joint Use Agreement with TVPPA.

17 Q. Yeah, that's what the charge is based on, right?

18 A. That's correct.

19 Q. But I'm -- What I'm asking you is about the costs
20 that would --

21 A. No. No, I do not.

22 Q. Okay. Are you aware of any analysis by Hickman-
23 Fulton of what revenues are required to offset the cost of
24 providing pole attachments?

25 A. I am not.

1 Q. Okay. I'd like marked, as Exhibit No. 16, the
2 two TVA contracts that we were provided with. Are they both
3 the same exhibit?

4 MS. LANHAM: Yeah. I've got them here to give
5 her.

6 MR. GILLESPIE: They're two different. Let's
7 mark them separately --

8 MS. LANHAM: Okay.

9 MR. GILLESPIE: -- as Exhibit No. 16, the TVA
10 Power Contract with Hickman-Fulton dated the 13th of
11 February, 1979.

12 (WHEREAS, EXHIBIT NO 16 WAS ENTERED)

13 MR. GILLESPIE: And as -- Oh, sorry. I didn't
14 mean to write on this one. Exhibit 17 would be the Agreement
15 between Hickman-Fulton and TVA dated October 1, 2013.

16 (WHEREAS, EXHIBIT NO 17 WAS ENTERED)

17 BY MR. GILLESPIE:

18 Q. Ms. Weatherford, are you familiar with either of
19 these documents?

20 A. I am not. I would have to read them.

21 Q. Well, take a look and see whether you -- it
22 refreshes your memory as to whether you've ever seen them
23 before.

24 A. (Witness reviews documents.) I have seen parts
25 of each document, but not ever in the entirety before.

1 Q. Can you tell us what parts you've seen?

2 A. Such as on Exhibit 17, the rule -- schedule of
3 rules and regulations.

4 Q. Okay.

5 A. Exhibit 16, schedule of rules and regulations.

6 Q. Okay. Anything else that you recall in these
7 exhibits?

8 A. Not without just reading them really well.

9 Q. Okay. Obviously, you did not review either of
10 these documents in preparation for this deposition, correct?

11 A. That is correct.

12 Q. Do you know whether there are any other
13 agreements between Hickman-Fulton and the TVA?

14 A. I do not know.

15 Q. Okay. Take a look at Exhibit No. 16. Do you see
16 this is dated in February of 1979?

17 A. Yes.

18 Q. And take a look on page seven, item number 15,
19 the term of the contract. Do you see that the contract
20 became effective in February of 1979 and was to continue for
21 20 years? Do you see that?

22 A. I see that.

23 Q. And do you see that it was subject to termination
24 at an earlier point with certain notice, right?

25 A. Yes.

1 Q. And you -- Looking at Exhibit No. 17, this
2 Agreement is dated October 1st of 2013. Do you see that?

3 A. I see that.

4 Q. Do you know whether there was any agreement in
5 effect between Hickman-Fulton and TVA between 1999 and 2013?

6 A. I do not know.

7 Q. Okay. Do you know what the circumstances were of
8 the new Agreement dated October 1st of 2013?

9 A. No.

10 Q. Do you know whether Hickman-Fulton discovered, in
11 connection with this proceeding, that it had an expired
12 contract and, therefore, entered into a new one with the TVA
13 in 2013?

14 A. I do not know.

15 Q. So, you don't know whether Hickman-Fulton had a
16 written contract with TVA during the years 1919 [sic] to
17 2013?

18 A. I do not know.

19 Q. Do you know when the retail electric rates of
20 Hickman-Fulton were last set by the TVA?

21 A. Repeat that question, please.

22 Q. Do you know when the retail electric rates were
23 last set by the TVA?

24 A. TVA changes the rates monthly because of the fuel
25 cost adjustment.

1 Q. Okay. And do you know when the rates were set,
2 other than the -- with respect to the fuel cost adjustments?

3 A. I believe it was in October of 2014.

4 Q. And do you know when they were set prior to that?

5 A. I do not.

6 Q. Okay. We have marked, as Exhibit No. 18, the TVA
7 -- excuse me, the TVPPA/AT&T Joint Use Agreement between
8 Hickman-Fulton and AT&T Kentucky dated March of 2010.

9 (WHEREAS, EXHIBIT NO 18 WAS ENTERED)

10 Q. Ms. Weatherford, are you familiar with this
11 exhibit?

12 A. Yes.

13 Q. Okay. I need to clarify what this exhibit is
14 because I see that it also has, as part of it, the License
15 Agreement between Hickman-Fulton and Galaxy Cable dated March
16 of 2005. So, let me just ask you whether you're also
17 familiar with this agreement.

18 A. I remember when it was put in place, but I'm not
19 familiar with all the terminology in it.

20 Q. Okay. So, you have not seen the actual agreement
21 before?

22 A. I'm sure I have. I'm just not familiar with it
23 at this time.

24 Q. Okay. Take a look at Exhibit D to the TVPPA/AT&T
25 agreement.

1 A. Do what?

2 Q. Exhibit D. It's at the very end of the -- of the
3 AT&T agreement following the diagrams of a pole. Do you see
4 that? Do you see the payment provision --

5 A. Yes.

6 Q. -- in Exhibit D?

7 A. Yes.

8 Q. Okay. What were the rates between AT&T and
9 Hickman-Fulton prior to 2011?

10 A. I do not know.

11 Q. Do you know how much of an increase it was
12 between 2010 and 2011?

13 A. I do not know.

14 Q. Okay. Do you know whether either of these
15 agreements were approved by the TVA?

16 A. I do not know.

17 Q. Do you know whether the TVA approved any of the
18 rates in these agreements?

19 A. I do not know.

20 Q. Do you know whether the TVA would take into
21 account pole revenues in any way different from any other
22 revenues or costs?

23 A. I do not know.

24 Q. To the best of your knowledge, does TVA control
25 the amounts of state and local taxes paid by Hickman-Fulton?

1 A. I do not think so.

2 Q. Pardon me?

3 A. I do not think so.

4 Q. Okay. Do you know what the procedures are
5 between Hickman-Fulton and TVA to raise retail electric
6 rates?

7 A. No.

8 Q. Take a look at Exhibit 14 again, please. Turn to
9 item nine. I think you said that you were familiar with the
10 parties anyway that were reflected in the -- on this response
11 to this item, correct?

12 A. Yes.

13 Q. So, these are the -- Are these the only parties
14 that attach to Hickman-Fulton's poles?

15 A. Yes.

16 Q. Does Hickman-Fulton attach to any other parties'
17 poles?

18 A. We attach to AT&T's.

19 Q. Is that the only pole owner that you attach to?

20 A. Yes.

21 Q. Okay. And let's -- Let's look at this chart,
22 item nine. So, West Kentucky, is that West Kentucky RECC?

23 A. Rural Electric. Yes.

24 Q. And so West Kentucky attaches to some of Hickman-
25 Fulton's poles?

1 A. They did until -- In 2011, they removed all of
2 their attachments.

3 Q. Okay. Now, can you tell me why Windstream paid a
4 lower rate in 2010 than Zito Media or AT&T?

5 A. I am not sure.

6 Q. Can you tell me why West Kentucky paid a
7 different rate?

8 A. I am not sure.

9 Q. Can you tell me why Zito Media paid more than
10 AT&T in 2012?

11 A. AT&T, we're paying back -- The money we collected
12 in 2012 is -- is for December -- was for -- was actually for
13 the revenue for 2011, I believe. And Zito, what we collected
14 in 2012 was actually for the pole rental use in 2012.

15 Q. Okay. I didn't quite understand that. Let's
16 look at AT&T, 2012. The 2012 rate is 61 cents higher than
17 2011, correct?

18 A. Correct.

19 Q. And that was the rate that was charged to AT&T
20 for 2012?

21 A. That's correct.

22 Q. And 2013, the AT&T rate -- rate went to \$30.11.

23 A. That's correct.

24 Q. And that was the rate that AT&T paid in 2013,
25 right?

1 A. That's correct.

2 Q. Now, Zito Media is shown here as paying \$31.00
3 for 2012, which is higher than AT&T paid in 2012 according to
4 this.

5 A. I am not sure if the amount showed under AT&T is
6 for the calendar year 2010 when they were actually attached
7 to the poles or for the -- the time when we actually
8 collected the money, because AT&T attaches -- we bill them
9 backwards. So, they use the poles from January to December
10 and we bill them in the January of the next year. The
11 other --

12 Q. Okay. So, you pay them -- You charge them in
13 arrears?

14 A. That's correct.

15 Q. And you charge Zito Media in arrears?

16 A. No.

17 Q. Okay. So, you charge Zito Media in advance?

18 A. That's correct.

19 Q. Do you know whether Hickman-Fulton advised the
20 TVA that it was charging some companies different rates?

21 A. I do not know.

22 Q. Do you know if there's anything that would
23 prevent Hickman-Fulton and -- and KCTA from agreeing on a
24 rate that's different from the one that TVA and -- excuse me,
25 that AT&T and TVPPA have agreed to?

1 A. I do not know.

2 Q. So, as -- Just so it's clear, is Zito Media a
3 successor in interest to Galaxy?

4 A. Yes.

5 Q. So, they're operating under the Galaxy agreement?

6 A. Yes.

7 Q. Are you aware of any documents that would consist
8 of an order or directive or communication from TVA regarding
9 pole attachment rates?

10 A. I am not.

11 Q. Do you know whether TVA requires any information
12 on Hickman-Fulton's pole rates to be submitted to the TVA?

13 A. I do not know.

14 Q. Do you know whether Hickman-Fulton provides
15 information on Hickman-Fulton's pole rates to the TVA?

16 A. I do not know.

17 Q. Do you know whether Hickman-Fulton provides pole
18 related expenses to the TVA?

19 A. I do not know.

20 Q. Okay. I'd like marked, as Exhibit No. 19, a
21 series of reports submitted by Hickman-Fulton to the TVA for
22 2010 through 2013.

23 (WHEREAS, EXHIBIT NO 19 WAS ENTERED)

24 Q. Ms. Weatherford, are you familiar with these
25 reports?

1 A. (Witness reviews documents.) Yes.

2 Q. Okay. So, you have a role in connection with the
3 submission of these reports?

4 A. Yes.

5 Q. So, these are typical reports that are submitted
6 every year?

7 A. Yes.

8 Q. Do you know what line item includes pole
9 attachment revenues?

10 A. Page three, line 62 has rent from electric
11 property.

12 Q. Okay. And is that rent from electric property
13 all pole attachment revenues?

14 A. Some years it is. Some years it's not.

15 Q. Some years there is other revenue that goes in
16 there?

17 A. Yes.

18 Q. Is the amount of pole attachment revenue broken
19 out in any way in this report?

20 A. I would have to refresh myself on that.

21 Q. All right. Refresh yourself.

22 A. (Witness reviews documents.) I do not see it
23 broken out.

24 Q. Okay. So, there isn't any way for the TVA,
25 looking at this report, to know what the pole attachment

1 revenues have been for any particular year, correct?

2 A. I do not believe so.

3 Q. Okay. Now, Hickman-Fulton also has pole
4 attachment expenses in the form of rentals paid for poles to
5 which it's attached to, right?

6 A. That's correct.

7 Q. Where are they reflected here?

8 A. I will have to look.

9 Q. Okay.

10 A. (Witness reviews document.) I do not remember.

11 Q. There isn't any single category in here for pole
12 attachment expenses, correct?

13 A. That's correct.

14 Q. Nor is there any specific category in here to
15 cover the costs to Hickman-Fulton in providing pole
16 attachment space to others, correct?

17 A. That is correct.

18 Q. Are you aware of any inquiries from TVA regarding
19 pole attachment issues?

20 A. I am not.

21 Q. Take a look at Exhibit 14, please, and look at
22 item number 14. Do you see that pole attachment revenues are
23 shown as -- as going down in 2011?

24 A. Yes.

25 Q. Do you know why that was?

1 A. I do not.

2 Q. Do you know whether that was reported to TVA?

3 A. It would have been in the annual report.

4 Q. Okay. And it would've been in the annual report
5 to the extent that the part of the amount that would've been
6 in the rental from electric property would have reflected
7 that amount, right?

8 A. Yes.

9 Q. But that's all, right?

10 A. Yes.

11 Q. Okay.

12 A. Unless it was noted in the back as an
13 explanation.

14 Q. Okay. Let's take a short break.

15 (WHEREAS, A BRIEF RECESS WAS TAKEN.)

16 BY MR. GILLESPIE:

17 Q. Okay.

18 A. Can I say something? You asked earlier about
19 gathering some of these documents and I believe I answered
20 no, but a lot of these documents I probably was involved in
21 gathering, as far as the TVA reports and things like that.

22 Q. Okay. Now, when you say involved in gathering,
23 what do you mean?

24 A. Just if the manager had said I need copies of
25 your TVA annual report, I would have provided those for him.

1 Q. Okay. And which of these documents do you think
2 that you provided?

3 A. Probably the pole attachment agreements. I
4 would've gotten those out for him.

5 Q. Okay.

6 A. The TVA reports.

7 Q. Okay. And the TVA agreements?

8 A. I don't recall getting those out for him.

9 Q. So, do you know the last time that Hickman-Fulton
10 communicated with TVA about any pole attachment issue?

11 A. I do not.

12 Q. Okay. Well, I have no further questions in light
13 of your lack of knowledge of all of this, but thank you.

14 MR. DEPP: No questions from me.

15

16 (DEPOSITION ENDED AT 2:12 P.M., CST)

17 (WITNESS EXCUSED.)

18

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DEBRA WEATHERFORD

ERRATA PAGE
(may or may not be requested)

PAGE	LINE	REASON
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I HAVE READ THE FOREGOING PAGES, AND THE STATEMENTS CONTAINED THEREIN (SUBJECT TO CORRECTIONS, ADDITIONS, AND DELETIONS CONTAINED IN THE ADDENDUM ANNEXED HERETO, IF ANY), AND THEY ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

DEBRA WEATHERFORD

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) SS
 2 COUNTY OF JEFFERSON)

3
 4 I, LINDSEY N. McMICHAEL, Certified Court Reporter
 5 and Notary Public in and for the Commonwealth of Kentucky,
 6 State at Large, hereby certify that the foregoing
 7 deposition was taken at the time and place stated in the
 8 caption; that the appearances are as set forth in the
 9 caption; that prior to giving the testimony the witness was
 10 first duly sworn by me; that said testimony was reported by
 11 mechanical means by me, and thereafter transcribed under my
 12 personal direction and supervision; and that said
 13 typewritten transcript is a true, accurate, and complete
 14 transcript to the best of my ability and understanding; and
 15 that there was a request that the witness read and sign the
 16 deposition.

17 I further certify that I am not related by blood or
 18 marriage to any of the parties hereto and that I have no
 19 interest in the outcome of the captioned matter.

20 My Commission as a Notary Public expires May 14,
 21 2018.

22 Given under my hand this _____ day of _____,
 23 2015, at Louisville, Jefferson County, Kentucky.

24 
 25 _____
 LINDSEY N. McMICHAEL, CERTIFIED COURT REPORTER
 NOTARY PUBLIC, STATE-AT-LARGE, KY

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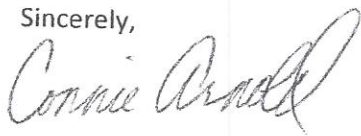
**RE: Public Service Commission Case No. 2012-00544
Depositions of Eston W. Glover, Jr.; Warren Ramsey; David E. Smart; Paul Thompson; and
Debra Weatherford**

To Whom It May Concern:

Enclosed are the original Errata Pages for the depositions of Eston W. Glover, Jr., Warren Ramsey, David E. Smart and Debra Weatherford. Enclosed also is a copy of the Errata Page for the deposition of Paul Thompson. We will forward the original of Mr. Thompson's Errata Page when we receive it.

In the meantime, if you have any questions, please let me know.

Sincerely,



Constance Arnold

Enclosures
9586902v1

DEBRA WEATHERFORD

ERRATA PAGE
(may or may not be requested)

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I HAVE READ THE FOREGOING PAGES, AND THE STATEMENTS CONTAINED THEREIN (SUBJECT TO CORRECTIONS, ADDITIONS, AND DELETIONS CONTAINED IN THE ADDENDUM ANNEXED HERETO, IF ANY), AND THEY ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

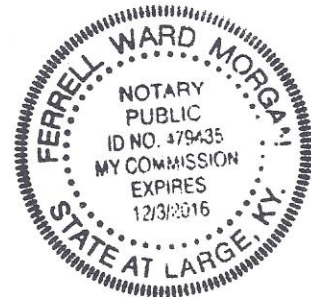
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