

**COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION**

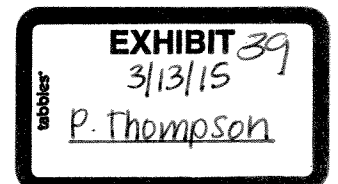
In the Matter of:

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

**KENTUCKY CABLE TELECOMMUNICATIONS ASSOCIATION'S REVISED
NOTICE OF DEPOSITION UPON ORAL EXAMINATION TO TRI-COUNTY
ELECTRIC MEMBERSHIP CORPORATION**

PLEASE TAKE NOTICE that pursuant to Kentucky Revised Statute 278.340, Kentucky Rule of Civil Procedure 30.02(6) and the Kentucky Public Service Commission's October 10, 2013 and January 8, 2015 Orders, the Kentucky Cable Telecommunications Association ("KCTA") will take the deposition of Respondent Tri-County Electric Membership Corporation ("Tri-County") upon oral examination before a certified court reporter duly authorized to administer oaths. The deposition will take place on March 13, 2015, at the Bowling Green Country Club, 251 Beech Bend Road, Bowling Green, Kentucky, beginning at 11:00 a.m., and shall continue until completed. The deposition will be recorded by stenographic means, may be offered into evidence in the above-captioned matter, and may be used for any purpose consistent with the Kentucky Rules of Civil Procedure and the Commission's Rules.

PLEASE TAKE FURTHER NOTICE that the topics for the deposition are set forth on Exhibit A, which is incorporated by reference. Tri-County is required to designate one or more officers, directors, managing agents, or other persons who consent to testify on its behalf as to each of the matters or topics identified and described in Exhibit A. Please identify the person



who will testify regarding each matter or topic at least five (5) days before the date of the deposition.

Respectfully submitted,

s/Amanda M. Lanham

Laurence J. Zielke
Zielke Law Firm, PLLC
1250 Meidinger Tower
462 South 4th Street
Louisville, KY 40202
(502) 589-4600

Gardner F. Gillespie (*admitted pro hac vice*)
Amanda M. Lanham (*admitted pro hac vice*)
Sheppard Mullin Richter & Hampton LLP
1300 I Street NW
11th Floor East
Washington, DC 20005
(202) 218-0000
ggillespie@sheppardmullin.com
alanham@sheppardmullin.com

**ATTORNEYS FOR THE KENTUCKY CABLE
TELECOMMUNICATIONS ASSOCIATION**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Kentucky Cable Telecommunications Association's Notice of Deposition Upon Oral Examination to Tri-County Electric Membership Corporation has been served on all parties of record via hand delivery, facsimile, or electronically this 9th day of March, 2015.

s/ Amanda M. Lanham
Amanda M. Lanham

EXHIBIT A

The following definitions are applicable to terms employed in this Notice:

1. The term “person(s)” shall include any natural person, corporation, partnership, association, joint venture, sole proprietorship, firm, business enterprise, governmental or quasi-governmental body or agency, or legal entity of any type, and includes both the singular and plural.
2. The terms “you” and “your” refer to the Tri-County Electric Membership Corporation and any predecessors in interest, subsidiaries, and employees, agents, representatives, attorneys and/or investigators.
3. The term “Association,” “KCTA,” or Petitioner refers to the Kentucky Cable Telecommunications Association, as well as any employee, agent, representative, attorney and/or investigator.
4. The term “TVA” refers to the Tennessee Valley Authority, as well as any employee, agent, representative, attorney and/or investigator.
5. “TVPPA” refers to the Tennessee Valley Public Power Association, as well as any employee, agent, representative, attorney and/or investigator.
6. “Poles” and “distribution poles” mean utility poles in your electric distribution network in Kentucky that you own or control.
7. “Pole rates” mean the annual charges for use of your poles by any other entity, including any member of the Association and/or any telephone joint user.
8. “Commission” means the Kentucky Public Service Commission.
9. “ILEC” means incumbent local exchange carrier.

10. “Joint user” refers to any utility with which you have an agreement that provides the rates and terms of service whereby you can attach to each other’s poles.

TOPICS

1. The corporate designee’s position, duties, knowledge of and involvement in this matter.

2. All contracts between Tri-County and the TVA relevant to poles and pole attachment rates.

3. All orders, directives, and communications from TVA regarding pole attachment rates.

4. The method, if any, by which TVA regulates, controls, and/or reviews Tri-County’s pole attachment rates.

5. Any approval or consideration by TVA of any pole attachment agreements, joint use agreements, and pole license agreements between Tri-County and all pole users, including but not limited to your March 2010 Joint Use Agreement with BellSouth Telecommunications, Inc.; your undated joint use agreements with Duo County Telephone Cooperative Corporation, North Central Telephone Cooperative, Inc., South Central Rural Telephone Cooperative, Inc., and Twin Lakes Telephone Cooperative Corporation; your August 2012 amendments to your license agreements with Celina Cable Communications, Inc., Comcast Cable, and MediaCom Systems; and your June 2013 amendment to your license agreement with Windstream Kentucky East, LLC.

6. Tri-County’s communications with TVA regarding all pole attachment agreements, joint use agreements, and pole license agreements between Tri-County and all pole users, including but not limited to communications regarding the March 2010 Joint Use

Agreement with BellSouth Telecommunications, Inc.; your undated joint use agreements with Duo County Telephone Cooperative Corporation, North Central Telephone Cooperative, Inc., South Central Rural Telephone Cooperative, Inc., and Twin Lakes Telephone Cooperative Corporation; your August 2012 amendments to your license agreements with Celina Cable Communications, Inc., Comcast Cable, and MediaCom Systems; and your June 2013 amendment to your license agreement with Windstream Kentucky East, LLC.

7. Tri-County's communications with TVPPA at any time during the past five years regarding TVA's jurisdiction over pole rates.

8. The basis of Tri-County's claim that the Commission's regulation of its pole attachment rates would conflict with the TVA's regulation of its electric rates to the extent the basis is not subject to attorney-client privilege.

9. Tri-County's responses to KCTA's First Request for Information.

10. Tri-County's responses to KCTA's Supplemental Request for Information.

11. Efforts made by the corporate designee(s) to learn as necessary the information requested in this list of topics.