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October 24, 2013

File Number: 36PK-179513

**VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Cynthia L. Herron
Director, Retail Regulatory Affairs
Tennessee Valley Authority
P.O. Box 292409
OCP 1F
Nashville, TN 37229-2409

Re: TVA's Authority to Regulate Pole Attachment Rates of Its Member Cooperatives

Dear Ms. Herron:

We represent the Kentucky Cable Telecommunications Association ("the Association") in a matter pending before the Kentucky Public Service Commission. In December 2012, the Association filed a petition for a Declaratory Order requesting the Commission affirm its jurisdiction to regulate the pole attachment rates, terms, and conditions of five electric cooperatives in Kentucky that purchase electricity from the Tennessee Valley Authority ("TVA"). The respondents in the matter are Hickman-Fulton Counties Rural Electric Cooperative, West Kentucky Rural Electric Cooperative, Tri-County Electric Membership Corporation, Warren Rural Electric Cooperative, and Pennyrite Rural Electric Cooperative (collectively, "the TVA Cooperatives").

You will recall that you sent a letter to each of the TVA Cooperatives in January on the issue of the TVA's involvement in pole attachment rates of the TVA Cooperatives, and another letter to the Kentucky PSC on that issue on May 20.

Although TVA is not a party to this case, we ask for TVA's cooperation in responding to the data requests listed below. These questions are designed to help the Association (and ultimately the PSC) understand the extent to which TVA has active involvement with the TVA Cooperatives' pole attachment rates.

1. Please explain the basis and methodology used by the TVA for setting retail rates for electricity the TVA Cooperatives charge ratepayers.

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2. Does the TVA set pole attachment rates for the TVA Cooperatives to charge?
3. If the answer to the question asked immediately above is affirmative, please explain fully the basis, methodology, and source of the methodology used by the TVA in setting pole attachment rates charged by the TVA Cooperatives and please produce all documents reflecting such rate-setting since 2000.
4. Please produce all documents reflecting any communication between the TVA and the TVA Cooperatives at any time concerning pole attachment revenues or rates.
5. Please produce all written actions, contracts, regulations, directives, orders, memoranda, correspondence, resolutions and any other documents of the TVA Board of Directors that concern pole attachment rates charged by the TVA Cooperatives.
6. Please produce all written actions, contracts, regulations, directives, resolutions, orders, memoranda, correspondence and any other documents of TVA staff that concern pole attachment rates charged by the TVA Cooperatives.
7. Please identify each non-written communication between TVA and the TVA Cooperatives concerning pole attachment revenues or rates from 2000 to the present.
8. Please produce all documents concerning any order, directive, contract, rule, regulation, decision or other communication from the TVA to the TVA Cooperatives concerning pole attachment rates.
9. Please produce all documents concerning how TVA ensures a pole attachment rate charged by any TVA Cooperative will provide sufficient revenues to cover the costs of providing for the attachments.
10. Identify the name, title, dates of employment, and contact information for your former and current TVA personnel who had responsibility for setting or calculating pole attachment rates for the TVA Cooperatives for the years 2008 to the present.

We believe you may be the person in the best position to help us understand TVA's involvement with pole attachment rates, and your assistance would facilitate resolution of this matter. We


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have also submitted a request under the Freedom of Information Act ("FOIA") to TVA's FOIA Officer, Denise Smith. Please feel free to contact us regarding this request if you have any questions or concerns.

Very truly yours,



Gardner F. Gillespie
Amanda M. Lanham
for SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

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