

Exhibit 7

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: PAUL THOMPSON, CR 30.02(6) Designee of
 Tri-County Electric Membership Corporation

TAKEN: MARCH 13, 2015

REPORTER: THERESA R. REID

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COUNSEL and Co-Counsel only.

1 This deposition, under oath, of Paul Thompson was
2 taken by me, Theresa R. Reid, Notary Public, on March 13,
3 2015, beginning at approximately 11:15 a.m., Central
4 Standard Time, at Bowling Green Country Club, 251 Beech
5 Bend Road, Bowling Green, Kentucky 42101. Said examination
6 was taken pursuant to Notice, for purposes of discovery,
7 and as provided by the Kentucky Rules of Civil Procedure.

8 *** **

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10 A P P E A R A N C E S

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12
13 FOR PETITIONER: GARDNER F. GILLESPIE, ESQ.
14 SHEPPARD MULLIN RICHTER &
15 HAMPTON, LLP
16 1300 I STREET NW
17 11TH FLOOR EAST
18 WASHINGTON, DC 20005

19
20
21 FOR RESPONDENT: EDWARD T. DEPP, ESQ.
22 DINSMORE & SHOHL, LLP
23 101 SOUTH FIFTH STREET
24 SUITE 2500
25 LOUISVILLE, KY 40202

1 parties?

2 A. Yes, sir.

3 Q. Okay. That's one of your responsibilities?

4 A. Yes, sir.

5 Q. Okay. What did you do to prepare for the
6 deposition today?

7 A. I looked over the information that was sent to
8 me, but that's -- that's essentially it.

9 Q. Okay. When you say the information that was sent
10 to you, what do you mean?

11 A. The exhibit that you gave me.

12 Q. In other words, you looked over the topics of the
13 deposition?

14 A. Yes, sir.

15 Q. Okay. Did you meet with your counsel?

16 A. We did. Last Friday.

17 Q. Okay. You met with your counsel and with
18 representatives of the other cooperatives, correct?

19 A. Yes, sir.

20 Q. And about how long did that meeting take?

21 A. I'm guessing, thinking back, a couple of hours.

22 Q. Okay. What did you do at that meeting?

23 A. Reviewed these topics, not in detail but what
24 topics were going to be discussed.

25 Q. Okay. So, other than that couple-of-hour

1 A. Yes, sir. I believe so.

2 Q. And did you verify the accuracy of the
3 information in each of these?

4 A. Yes, sir.

5 Q. And you're shown as the witness on the majority
6 of these, correct?

7 A. That's correct.

8 Q. Except for a few in which counsel is -- is
9 specified as the witness, right?

10 A. Yes, sir.

11 Q. Okay. So, what did you do to respond to these
12 information requests?

13 A. We prepared I think originally -- Gosh, so much
14 time has passed. But we -- We prepared originally and
15 submitted documentation I think in response to these things.

16 Q. Okay. You prepared documentation of what sort?

17 A. Copies of some of our agreements with rural
18 telephone coops. Also, I think we may have submitted our
19 contracts with cable attachers, as well as maybe an agreement
20 with -- original agreement from South Central Bell that now
21 we serve AT&T under.

22 Q. Okay. So, we're talking now about the documents.
23 So, what did you do to search for responsive documents?

24 A. We got the copy of all of that information. We
25 have folders on each attacher to our facility, so we got

1 those. Another thing I failed to mention earlier, I think we
2 also gave some summaries of what our pole attachment revenue
3 had been over the course of a number of years. And so, we
4 keep records of those each year and I just submitted those.

5 Q. Do you know whether those documents were
6 submitted to us?

7 A. I have no idea.

8 Q. Okay. I will state on the record that there are
9 a number of those documents that were never provided to us,
10 including contracts with other pole owners and so on,
11 including the contract of -- the South Central Bell
12 agreement.

13 MR. DEPP: I will state on the record that I
14 believe we have provided all responsive documents, but --
15 that's all.

16 A. And let me clarify. My memory is that we got
17 those, and it's been, gosh, a long time. We may have or may
18 not have. That's my memory, is that I think we did.

19 Q. Okay. What did you do to respond to the -- the
20 data requests that requested a particular answer as opposed
21 to a document?

22 A. I tried to answer to the best of my ability.

23 Q. Well, the -- So, the answers that are contained
24 in Exhibit 40, for example, how were they prepared? Do you
25 know?

1 A. No, I can't say that I do.

2 Q. Okay. Did you review all of these responses?

3 A. I have.

4 Q. Did you review them before you verified them?

5 A. Yes.

6 Q. Okay. Looking at that paragraph, the second
7 sentence states, quote, the TVA regulates these rates and
8 services through the expressed terms of its wholesale Power
9 Contract with Tri-County. Do you see that?

10 A. Yes, sir.

11 Q. What rates are referred to in that sentence?

12 A. I think they're talking about all rates.

13 Q. What does that mean?

14 A. That would mean our electric rates, our pole
15 attachment rates, both wholesale and resale -- or, retail on
16 electric.

17 Q. Okay. Does the wholesale Power Contract that
18 Tri-County has with TVA specifically refer to pole attachment
19 rates?

20 A. I think it does.

21 Q. Do you recall where?

22 A. I could probably find it if you have a copy of
23 it.

24 Q. Uh-huh, I have a copy of it.

25 MR. DEPP: While you're gathering that, I'll go

1 A. They are a cable attacher and they are allocated
2 one foot of space.

3 Q. And that's the -- the result of -- Allocating one
4 foot rather than two feet results in those different rates;
5 is that right?

6 A. Yes, sir.

7 Q. Okay. And you have a series of entities that are
8 charged \$5 a pole. What's the basis of that rate?

9 MR. DEPP: I'm going to object to the extent we
10 continue getting into cost formulas and rate analysis, which
11 is not the subject of this proceeding. The witness can
12 answer if he knows, but this is outside the scope of the
13 proceeding.

14 Q. That is not the subject of this discussion. Go
15 ahead and answer.

16 A. These attachments are typically, if you look at
17 Dollar General for instance or Mueller Refrigeration, these
18 are printed -- you see who might attach to us in order to
19 achieve a lighting for a parking lot.

20 Q. These are all attachments used to achieve
21 lighting in a parking lot?

22 A. That's an example.

23 Q. Okay. What's the basis of the \$5 rate?

24 A. It's an agreed upon charge between Tri-County and
25 these entities.

1 A. Yes, sir.

2 Q. Okay. Do these reports contain information
3 related to pole attachments?

4 A. Yes, sir.

5 Q. Where?

6 A. Page three, top of the page under operating
7 revenue, rent from electric property.

8 Q. Okay. And that number includes pole attachment
9 revenues plus other rents from electric property; is that
10 right?

11 A. Yes.

12 Q. Okay. Is this the net number received for pole
13 attachment revenues?

14 A. Yes, sir.

15 Q. Okay. So, that's the number received for pole
16 attachment revenues less the amounts that Tri-County has paid
17 to other pole owners for use of their poles?

18 A. In addition to any other miscellaneous items that
19 may be there.

20 Q. Right. Is there any other reference in these
21 reports to pole attachment revenues?

22 A. Not to my knowledge.

23 Q. And is there anyplace where pole attachment costs
24 are reflected?

25 A. Not to my knowledge.

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PAUL THOMPSON

ERRATA PAGE
(may or may not be requested)

PAGE	LINE	REASON

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

Paul Thompson

PAUL THOMPSON

15 SWORN TO AND SUBSCRIBED BEFORE ME THIS 30th DAY OF
16 March, 2015.
17 (Month) (Year)

Laura L. Kirby

NOTARY PUBLIC, STATE OF TN
(State)
MY COMMISSION EXPIRES: 01/26/2016

21 RETURN WITHIN 30 DAYS TO:

22 Video Court Reporting Services, Inc.
23 734 West Main Street, Suite 100
24 Louisville, Kentucky 40202
25 502.561.9988 Voice 502.561.9080 Fax
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STATE OF KENTUCKY)
) SS
COUNTY OF JEFFERSON)

I, THERESA R. REID, Notary Public in and for the Commonwealth of Kentucky, State at Large, hereby certify that the foregoing deposition was taken at the time and place stated in the caption; that the appearances are as set forth in the caption; that prior to giving the testimony the witness was first duly sworn by me; that said testimony was reported by mechanical means by me, and thereafter transcribed under my personal direction and supervision; and that said typewritten transcript is a true, accurate, and complete transcript to the best of my ability and understanding; and that there was a request that the witness read and sign the deposition.

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

My Commission as a Notary Public expires February 17, 2016.

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



THERESA R. REID
NOTARY PUBLIC, STATE-AT-LARGE, KY