

Exhibit 5

**HICKMAN-FULTON COUNTIES RURAL ELECTRIC COOPERATIVE
CORPORATION**

**IN THE MATTER OF: PETITION OF THE KENTUCKY CABLE
TELECOMMUNICATIONS ASSOCIATION FOR A 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
CASE NO. 2012-00544**

**Response to KCTA's First Requests for Information
dated October 24, 2013**

November 14, 2013

1 **Item 1)** *Do you contend that the TVA regulates your pole rates in any way?*

2

3 **Response)** Yes.

4

5 **Witness)** Debbie Weatherford

HICKMAN-FULTON COUNTIES RURAL ELECTRIC COOPERATIVE
CORPORATION

IN THE MATTER OF: PETITION OF THE KENTUCKY CABLE
TELECOMMUNICATIONS ASSOCIATION FOR A 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
CASE NO. 2012-00544

Response to KCTA's First Requests for Information
dated October 24, 2013

November 14, 2013

1 **Item 2)** *If the answer to the prior data request is affirmative, please explain*
2 *fully, making reference to all facts known to you supporting that answer.*

3

4 **Response)** Hickman-Fulton objects to this request insofar as it seeks conclusions of a
5 legal nature which are protected by the attorney-client and attorney-work-product
6 privileges. Hickman-Fulton also objects to this request on the grounds that it is overly
7 broad and unduly burdensome. Notwithstanding these objections, but without waiving
8 them, Hickman-Fulton states as follows.

9 By statute, the TVA has plenary authority over all rates and services of the
10 utilities that purchase and distribute the electricity it generates. The TVA regulates these
11 rates and services through the express terms of its wholesale power contract with
12 Hickman-Fulton. Please also see the TVA Cooperatives' Response to the January 17
13 Order filed February 15, 2013 in this matter, and the Response to Application for
14 Rehearing filed July 25, 2013 in this matter.

15

16 **Witness)** Debbie Weatherford

Case No. 2012-00544
Hickman-Fulton Counties Rural Electric Cooperative Corporation
Response to KCTA 1-2
Witness: Debbie Weatherford
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PENNYRILE RURAL ELECTRIC COOPERATIVE CORPORATION

**IN THE MATTER OF: PETITION OF THE KENTUCKY CABLE
TELECOMMUNICATIONS ASSOCIATION FOR A 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
CASE NO. 2012-00544**

**Response to KCTA's First Requests for Information
dated October 24, 2013**

November 14, 2013

1 **Item 1)** *Do you contend that the TVA regulates your pole rates in any way?*

2

3 **Response)** Yes.

4

5 **Witness)** Eston Glover

PENNYRILE RURAL ELECTRIC COOPERATIVE CORPORATION

**IN THE MATTER OF: PETITION OF THE KENTUCKY CABLE
TELECOMMUNICATIONS ASSOCIATION FOR A 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
CASE NO. 2012-00544**

**Response to KCTA's First Requests for Information
dated October 24, 2013**

November 14, 2013

1 **Item 2)** *If the answer to the prior data request is affirmative, please explain*
2 *fully, making reference to all facts known to you supporting that answer.*

3

4 **Response)** Pennyrile objects to this request insofar as it seeks conclusions of a legal
5 nature which are protected by the attorney-client and attorney-work-product privileges.
6 Pennyrile also objects to this request on the grounds that it is overly broad and unduly
7 burdensome. Notwithstanding these objections, but without waiving them, Pennyrile
8 states as follows.

9 By statute, the TVA has plenary authority over all rates and services of the
10 utilities that purchase and distribute the electricity it generates. The TVA regulates these
11 rates and services through the express terms of its wholesale power contract with
12 Pennyrile. Please also see the TVA Cooperatives' Response to the January 17 Order
13 filed February 15, 2013 in this matter, and the Response to Application for Rehearing
14 filed July 25, 2013 in this matter.

15

16 **Witness)** Eston Glover

**Case No. 2012-00544
Pennyrile Rural Electric Cooperative Corporation
Response to KCTA 1-2
Witness: Eston Glover
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TRI-COUNTY ELECTRIC MEMBERSHIP CORPORATION

**IN THE MATTER OF: PETITION OF THE KENTUCKY CABLE
TELECOMMUNICATIONS ASSOCIATION FOR A 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
CASE NO. 2012-00544**

**Response to KCTA's First Requests for Information
dated October 24, 2013**

November 14, 2013

1 **Item 1)** *Do you contend that the TVA regulates your pole rates in any way?*

2

3 **Response)** Yes.

4

5 **Witness)** Paul Thompson

TRI-COUNTY ELECTRIC MEMBERSHIP CORPORATION

**IN THE MATTER OF: PETITION OF THE KENTUCKY CABLE
TELECOMMUNICATIONS ASSOCIATION FOR A 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**

CASE NO. 2012-00544

**Response to KCTA's First Requests for Information
dated October 24, 2013**

November 14, 2013

1 **Item 2)** *If the answer to the prior data request is affirmative, please explain*
2 *fully, making reference to all facts known to you supporting that answer.*

3

4 **Response)** Tri-County objects to this request insofar as it seeks conclusions of a legal
5 nature which are protected by the attorney-client and attorney-work-product privileges.
6 Tri-County also objects to this request on the grounds that it is overly broad and unduly
7 burdensome. Notwithstanding these objections, but without waiving them, Tri-County
8 states as follows.

9 By statute, the TVA has plenary authority over all rates and services of the
10 utilities that purchase and distribute the electricity it generates. The TVA regulates these
11 rates and services through the express terms of its wholesale power contract with Tri-
12 County. Please also see the TVA Cooperatives' Response to the January 17 Order filed
13 February 15, 2013 in this matter, and the Response to Application for Rehearing filed
14 July 25, 2013 in this matter.

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16 **Witness)** Paul Thompson

**Case No. 2012-00544
Tri-County Electric Membership Corporation
Response to KCTA 1-2
Witness: Paul Thompson
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WARREN RURAL ELECTRIC COOPERATIVE CORPORATION

**IN THE MATTER OF: PETITION OF THE KENTUCKY CABLE
TELECOMMUNICATIONS ASSOCIATION FOR A 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
CASE NO. 2012-00544**

**Response to KCTA's First Requests for Information
dated October 24, 2013**

November 14, 2013

1 **Item 1)** *Do you contend that the TVA regulates your pole rates in any way?*

2

3 **Response)** Yes.

4

5 **Witness)** Dewayne McDonald

WARREN RURAL ELECTRIC COOPERATIVE CORPORATION

**IN THE MATTER OF: PETITION OF THE KENTUCKY CABLE
TELECOMMUNICATIONS ASSOCIATION FOR A 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
CASE NO. 2012-00544**

**Response to KCTA's First Requests for Information
dated October 24, 2013**

November 14, 2013

1 **Item 2)** *If the answer to the prior data request is affirmative, please explain*
2 *fully, making reference to all facts known to you supporting that answer.*

3

4 **Response)** Warren objects to this request insofar as it seeks conclusions of a legal
5 nature which are protected by the attorney-client and attorney-work-product privileges.
6 Warren also objects to this request on the grounds that it is overly broad and unduly
7 burdensome. Notwithstanding these objections, but without waiving them, Warren states
8 as follows.

9 By statute, the TVA has plenary authority over all rates and services of the
10 utilities which purchase and distribute the electricity it generates. The TVA regulates
11 these rates and services through the express terms of its wholesale power contract with
12 Warren. Please also see the TVA Cooperatives' Response to the January 17 Order filed
13 February 15, 2013 in this matter, and the Response to Application for Rehearing filed
14 July 25, 2013 in this matter.

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16 **Witness)** Dewayne McDonald

**Case No. 2012-00544
Warren Rural Electric Cooperative Corporation
Response to KCTA 1-2
Witness: Dewayne McDonald
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WEST KENTUCKY RURAL ELECTRIC COOPERATIVE CORPORATION

**IN THE MATTER OF: PETITION OF THE KENTUCKY CABLE
TELECOMMUNICATIONS ASSOCIATION FOR A DECLARATORY ORDER
THAT THE COMMISSION HAS JURISDICTION TO REGULATE THE POLE
ATTACHMENT RATES, TERMS AND CONDITIONS OF COOPERATIVES
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AUTHORITY
CASE NO. 2012-00544**

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November 14, 2013

1 **Item 1)** *Do you contend that the TVA regulates your pole rates in any way?*

2

3 **Response)** Yes.

4

5 **Witness)** David Smart

WEST KENTUCKY RURAL ELECTRIC COOPERATIVE CORPORATION

**IN THE MATTER OF: PETITION OF THE KENTUCKY CABLE
TELECOMMUNICATIONS ASSOCIATION FOR A DECLARATORY ORDER
THAT THE COMMISSION HAS JURISDICTION TO REGULATE THE POLE
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November 14, 2013

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2 *fully, making reference to all facts known to you supporting that answer.*

3

4 **Response)** West Kentucky objects to this request insofar as it seeks conclusions of a
5 legal nature which are protected by the attorney-client and attorney-work-product
6 privileges. West Kentucky also objects to this request on the grounds that it is overly
7 broad and unduly burdensome. Notwithstanding these objections, but without waiving
8 them, West Kentucky states as follows.

9 By statute, the TVA has plenary authority over all rates and services of the
10 utilities which purchase and distribute the electricity it generates. The TVA regulates
11 these rates and services through the express terms of its wholesale power contract with
12 West Kentucky. Please also see the TVA Cooperatives' Response to the January 17
13 Order filed February 15, 2013 in this matter, and the Response to Application for
14 Rehearing filed July 25, 2013 in this matter.

15

16 **Witness)** David Smart

**Case No. 2012-00544
West Kentucky Rural Electric Cooperative Corporation
Response to KCTA 1-2
Witness: David Smart
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