

**Commonwealth of Kentucky  
Before the Public Service Commission**

In the Matter of:

ELECTRONIC APPLICATION OF KENTUCKY )	
UTILITIES COMPANY FOR AN ADJUSTMENT )	2018-00294
OF ITS RATES FOR ELECTRIC AND GAS )	
RATES )	

**CHARTER COMMUNICATIONS OPERATING LLC's MOTION FOR FULL  
INTERVENTION**

Comes Charter Communications Operating, LLC, by counsel and pursuant to 807 K.A.R 5:001, Section 4(11), and respectfully moves the Public Service Commission to allow it to intervene in the above captioned action and to grant it the rights and privileges of a full intervenor in these proceedings. In support of its Motion to Intervene, Charter Communications Operating, LLC states as follows:

1. Charter Communications (“Charter”) provides lawful communications services within the area of Kentucky served by Kentucky Utilities Company (“KU”). In order to provide these services, Charter must attach its facilities to the utility poles owned and controlled by KU and is thus directly affected by KU’s Application. Specifically, Charter is directly impacted by KU’s proposed modifications to its pole attachment terms and conditions.

2. Accordingly, Charter has a direct and substantial interest in the outcome of this proceeding. Within the area served by KU and Louisville Gas and Electric (“LG&E”), which in 2018-00295 has proposed identical modifications to its pole attachment terms and conditions, Charter has 96% of all cable pole attachments, amounting to attachments on approximately 194,000 poles. The company with the second most attachments in the same area has

approximately 15,000. Charter, therefore, has the largest interest by far in the proposed modifications.

3. Charter's interest are direct and substantial. Charter's intervention in the proceedings will allow it to present issues and develop facts that will assist the Commission in fully considering the proposed modifications without unduly complicating or disrupting the proceedings. Charter's intervention will allow it to protect the interests of its customers, which depend on these attachments for access to broadband, cable television, and voice services.

4. Because Charter has the vast majority of attachments on these poles in the area affected by the KU application, no other entity is better situated to address the proposed modifications. No other party or intervenor can represent Charter's interests in this proceeding, including any incumbent telephone company that may have as many attachments, because the state's ILECs are also pole owners. Indeed, these issues are of unique concern to Charter and could result in increased costs to the Charter, which could be detrimental to the State of Kentucky's residents and businesses.

5. This motion for intervention is timely before the Commission's deadline. Charter will accept and abide by any scheduling order and will file any responses to data requests and Intervenor testimony as needed and required. No party is prejudiced by Charter's intervention.

6. The attorneys representing Charter in this proceeding are:

Laurence J. Zielke  
Janice M. Theriot  
Zielke Law Firm, PLLC  
1250 Meidinger Tower  
462 South 4<sup>th</sup> Street  
Louisville, KY 40202  
(502) 589-4600  
(502) 584-0422 facsimile

Mr. Zielke and Ms. Theriot are authorized to accept service of papers in this proceeding on behalf of Charter. They and Charter waive any right to service of Commission order via U.S. Mail and certify that (a) they and Charter are capable of receiving electronic transmissions; and (b) the electronic email addresses to which all electronic notices and messages related to the above-captioned action should be served are:

[lzielke@zielkefirm.com](mailto:lzielke@zielkefirm.com)  
[jtheriot@zielkefirm.com](mailto:jtheriot@zielkefirm.com)

**WHEREFORE**, Charter respectfully requests that it be granted leave to intervene and be made a party to the above-captioned proceeding.

Respectfully submitted,

By /s/ Laurence J. Zielke

Laurence J. Zielke  
Janice M. Theriot  
Zielke Law Firm, PLLC  
1250 Meidinger Tower  
462 South 4<sup>th</sup> Street  
Louisville, KY 40202  
(502) 589-4600  
[Lzielke@zielkefirm.com](mailto:Lzielke@zielkefirm.com)  
[jtheriot@zielkefirm.com](mailto:jtheriot@zielkefirm.com)

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the forgoing Motion to Intervene has been served on all parties of record electronically on this the 15th day of October 2018.

/s/ Janice M. Theriot  
Janice M. Theriot