

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

In the Matter of:

	LOGAN TELEPHONE COOPERATIVE, INC.)	
)	
	COMPLAINANT)	
V.)	CASE NO. 2021-00248
)	
	EAST LOGAN WATER DISTRICT, INC.)	
)	
	DEFENDANT)	

**LOGAN TELEPHONE COOPERATIVE, INC.'S RESPONSES TO EAST LOGAN
WATER DISTRICT'S FIRST REQUESTS FOR INFORMATION**

Logan Telephone Cooperative, Inc. ("LTC"), by counsel, files its responses to East Logan Water District's First Requests for Information, served in the above-captioned case on November 18, 2022.

FILED: December 9, 2022

**IN THE MATTER OF LOGAN TELEPHONE COOPERATIVE,
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**LOGAN TELEPHONE COOPERATIVE, INC.'S RESPONSES TO EAST LOGAN
WATER DISTRICT'S FIRST REQUEST FOR INFORMATION**

REQUEST NO. 1: Identify the address of each location for which Logan Telephone receives water service from the District. For each location, state the total amount billed for water service for each year from 2017 to 2021.

WITNESS: Greg Hale

RESPONSE: LTC receives water service at its warehouse at 6983 Friendship Road in Auburn, KY. The total amount billed for water at this location from 2017 to 2021 is as follows:

Year	Total Billing
2017	305.35
2018	305.35
2019	305.09
2020	342.78
2021	290.63

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REQUEST NO. 2: List the time periods since 2013 in which Logan Telephone's construction and deployment of its fiber to the home ("FTTH") fiber optic network involve excavations and installations in the District's territory.

WITNESS: Greg Hale

RESPONSE: LTC objects to this Request as it is overbroad, unduly burdensome, and disproportionate to the needs of this case as the relevant period in dispute is from 2019 to present. (*See, e.g.,* Complaint at ¶¶ 11-39.) Subject to and without waiving these objections, LTC states that the construction and deployment of its FTTH network involved excavations and installations in the District's area periodically throughout 2013 to present. LTC's larger projects of note are as follows:

- 2013 – Auburn C.O. Phase 1 project which was performed by LTC's contractor Henkels and McCoy, Inc.;
- 2014-2015 – Auburn C.O. Phase 2 project which was performed by LTC's contractor Electricom, LLC;
- 2014-2015 - Chandlers project performed by LTC's contractor McFall Construction Co.;
- 2015-2016 – Auburn West project performed by LTC's contractor Electricom; and
- 2019-2020 – Two projects, Auburn East 1 and Auburn East 2, both performed by North Central Service Inc. ("North Central").

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REQUEST NO. 3 For each time period listed in response to Question 2, state whether Logan Telephone's own employees only performed the excavations and installations in the District's territory. If Logan Telephone employees were not the only persons performing excavations for Logan Telephone in the District's territory, state the percentage of the total excavation work that Logan Telephone employees performed for each of the listed periods.

WITNESS: Greg Hale

RESPONSE: LTC objects to this Request as it is overbroad, unduly burdensome, and disproportionate to the needs of this case. Subject to and without waiving these objections, LTC utilized contractors for the main line construction of its FTTH deployment. Contractors bury and bore the main lines and then plow fiber drops to all subscriber locations in the project area. Once the initial work is done by the contractor, LTC uses both internal employees and contractors to migrate customers from the old copper network to the new fiber network. After the contractor completes this main line work, LTC's internal construction crews then do the construction for any new locations or subdivisions in areas where the main FTTH Construction has been completed. LTC is not aware of an exact percentage breakdown, but it estimates that contractors have done more than ninety-five percent of the construction in the District's territory since 2013 with that number decreasing over time as LTC's internal construction crew does the work to new locations.

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REQUEST NO. 4 For each time period listed in its response to Question 2, if Logan Telephone contracted with contractors to perform excavations and installations occurring in the District's territory, provide for each contractor performing such excavations and installations:

- a. the contractor's name and address;
- b. the time period(s) during which the contractor worked in the District's territory;
- c. the area(s) within the District's territory in which the contractor performed excavations;
- d. each contract that Logan Telephone had with the contractor regarding the deployment of its FTTH fiber optic network during these period(s);
- e. all written instructions that Logan Telephone provided to the contractor regarding the deployment, locating the District's water mains, and the placement of fiber optic cable near water utility lines;
- f. all email and written communication between Logan Telephone and its contractor regarding the deployment, including coordinating construction plans with the District;

WITNESS: Greg Hale

RESPONSE:

a. The names and addresses of the contractors' referenced in LTC's Response to Request No. 2 are as follows:

- Henkels and McCoy, 985 Jolly Rd., Blue Bell PA 19422
- Electricom, 1660 W Hospital Rd., Paoli IN 47454
- McFall Construction, 545 W 4th St., Parson TN 38363
- North Central, 5487 Hart Ln., Bemidji MN 56601

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b. For a general time period in which the respective contractors worked in the District's territory, please see LTC's Response to Request No. 2.

c. LTC object to this Request as it is irrelevant, overbroad, unduly burdensome, and disproportionate to the needs of this case. LTC further objects as the information requested is equally within the District's possession or control because if locate requests were made, the District would have been informed of the location of work.

d. LTC objects to this Request as it is irrelevant, overbroad, unduly burdensome, and disproportionate to the needs of this case. LTC's contracts with its contractors are irrelevant to determining whether the District is meeting its obligations to mark and locate its facilities.

e. LTC objects to this Request as it is irrelevant, overbroad, unduly burdensome, disproportionate to the needs of the case. LTC communications with its contractors are irrelevant to determining whether the District is meeting its obligations to mark and locate its facilities. Subject to and without waiving these objections, LTC's contractors are responsible for following Kentucky 811 laws and regulations, industry practices, and applicable guidelines.

f. LTC objects to this Request as it is irrelevant, overbroad, unduly burdensome, disproportionate to the needs of the case. LTC's communications with its contractors are irrelevant to determining whether the District has systemically failed to mark and locate facilities as required by Kentucky 811 laws.

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REQUEST NO. 5 Provide all of Logan Telephone's operating procedures, internal guidance policies, and instructions for dealing with excavations around the facilities of other utilities.

WITNESS: Greg Hale

RESPONSE: LTC's policy is to fully comply with all 811 laws and regulations regarding its excavations. In further response to this Request, see LTC's responses to the Commission Staff's Second Requests for Information.

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REQUEST NO. 6 Describe Logan Telephone's policies and practices regarding the placement of fiber optic cable near water utility lines.

WITNESS: Greg Hale

RESPONSE: LTC's policies and practices regarding the placement of fiber optic cable near water utility lines mirror and fully comply with the requirements provided in 811 laws and regulations. Generally, this includes, first, making a locate request to the water utility operator. After the operator locates and marks the water line pursuant to its obligations under KRS 367.4909, if LTC had to cross the water line, LTC would try and expose the line using non-intrusive methods and put its fiber beneath the water line if possible. LTC's non-intrusive excavation may include hand-digging or the use of its hydro-vacuum which can help expose water and gas lines without damage. LTC would normally plow its lines outside of any tolerance zone based on the location marks of the facilities. Depending on LTC's confidence in the location of any marks made by the water operator, it may try and expose the line or move farther away when possible and allowed by the landowner.

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REQUEST NO. 7 List and describe all restrictions that Logan Telephone places on its contractor regarding vertical and horizontal spacing between water lines and Logan Telephone's fiber cable.

WITNESS: Greg Hale

RESPONSE: LTC objects to this Request as it is irrelevant, overbroad, unduly burdensome, and disproportionate to the needs of this case. LTC further objects as "restrictions" is undefined making this Request vague and ambiguous. Subject to and without waiving this objection, LTC hires an engineering firm to design its projects, inspect and oversee the contractor's work. For example, Finley Engineering Company, Inc. ("Finley"), designed, inspected and oversaw the work of North Central during 2019-2020. Finley provides instruction and specifications for placement of LTC's fiber cable that is based on industry standards, USDA/RUS specifications and any other legal or regulatory guidelines. LTC is not aware of any specific standard or specific legal requirement for vertical and horizontal spacing between fiber lines and water lines. LTC would expect at least twelve inches of vertical separation if ground conditions allow and at least two feet of horizontal separation, but would desire more if the specific ground conditions would allow. Achieving separation is highly dependent on the accurate location of water lines to enable the contractors the ability to avoid them.

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REQUEST NO. 8 Describe how Logan Telephone selects the route and location for installing its fiber network. Provide all documents in which that policy is explained or discussed.

WITNESS: Greg Hale

RESPONSE: LTC contracts with an engineering firm to design, stake, obtain right-of-way rights, and perform oversight and inspections of construction. Finley has been LTC's consulting engineer for all of the timeframes discussed in the Complaint. Finley employs registered professional engineers to oversee the design of the network and LTC has no specific policies to tell professional engineers how to design networks. Finley follows standard industry practices, USDA/RUS telecommunications guidelines and requirements, 811 laws, and all other applicable regulations for all its activities as required by its contract with LTC.

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REQUEST NO. 9 Provide the original planning schedules for Logan Telephone's prior deployments of its FTTH fiber optic network in areas within the District's territory.

WITNESS: Greg Hale

RESPONSE: LTC objects to this Request as it is irrelevant, overbroad, unduly burdensome, and disproportionate to the needs of this case. LTC also objects as this Request is not limited in time further making it overbroad and unduly burdensome. Subject to and without waiving these objections, LTC states the original planning schedules are formulated by first providing a specific number of working days to complete the contract. The working days provided are not on weekends or holidays. Days are adjusted due to inclement weather where work cannot be completed or other events beyond the control of the contractor. Normally, contracts are awarded several months before construction begins to allow time for planning and material orders. All design work and staking are completed in the months before a contract is awarded and the majority of right-of-way has been obtained but there is some right-of-way that must be obtained between the time the contract is awarded and when construction begins. The following provides the original number of construction days for each project that occurred in the District's territory since 2013:

- Auburn C.O. Phase 1 – 120 days;
- Auburn C.O. Phase 2 – 130 days;
- Chandlers – 140 days;
- Auburn West – 150 days;
- Auburn East – 140 days.

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REQUEST NO. 10 Provide all revisions to the original planning schedules for Logan Telephone's prior deployments of its FTTH fiber optic network in areas within the District's territory and all documents in which those revisions are discussed.

WITNESS: Greg Hale

RESPONSE: LTC objects to this Request as it is irrelevant, overbroad, unduly burdensome, and disproportionate to the needs of this case. Subject to and without waiving these objections, the following are the actual contract days for each project in the District's territory since 2013:

- Auburn 1 – 298 calendar days and unknown actual construction days;
- Auburn 2 – 262 calendar days and unknown actual construction days;
- Chandlers – 398 calendar days minus 94 weather days for a total of 304 actual construction days;
- Auburn West – 248 calendar days minus 73 weather days for a total of 175 actual construction days;
- 2019 – 251 calendar days minus 40 weather days and 12 miscellaneous days for a total of 199 actual construction days;
- 2020 – 181 calendar days minus 35 weather days and 2 miscellaneous days for a total of 144 actual construction days.

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REQUEST NO. 11 For each of Logan Telephone's prior deployments of its FTTH fiber optic network in areas within the District's territory, state how the actual time required for the excavation and installation compared to the planned or expected time for excavation and installation.

WITNESS: Greg Hale

RESPONSE: LTC objects to this Request as it is irrelevant, overbroad, unduly burdensome, and disproportionate to the needs of this case. With the exception of the 2020 contract identified in response to Request No. 10, every contract far exceeded the number of contract days. LTC designs the contracts with the goal of completing that area within a calendar year so customers in each area can receive fiber high-speed broadband before the end of the year. Delays are primarily caused by contractor labor issues and the inability to have other operator lines located accurately and in a timely manner that leads to additional expense for LTC and its contractors. Only one project that involved the District's service territory has been completed in the year it was started.

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REQUEST NO. 12 Provide all documents provided by Logan Telephone management officials to the members of Logan Telephone's Board of Directors regarding the fiber deployment schedules and the Logan Telephone's actual experience in meeting those schedules.

WITNESS: Greg Hale

RESPONSE: LTC objects to this Request as it is irrelevant, overbroad, unduly burdensome, and disproportionate to the needs of this case. The documents provided to LTC's Board regarding its deployment schedules is not reasonably calculated to lead to the discovery of any evidence that may be utilized at the hearing of this matter. Subject to and without waiving these objections, LTC is not aware of any documents in its possession or control that are responsive to this Request as LTC does not typically provide any documents specific to its deployment schedules to its Board other than general statements in operations reports that address whether a project is on schedule or behind schedule.

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REQUEST NO. 13 Provide the minutes of each meeting of Logan Telephone's Board of Directors in which Logan Telephone's fiber deployment in the District's territory was discussed.

WITNESS: Counsel

RESPONSE: LTC objects to this Request as it is irrelevant, overbroad, unduly burdensome, and disproportionate to the needs of this case. The documents provided to LTC's Board regarding its deployment is not reasonably calculated to lead to the discovery of any evidence that may be utilized at the hearing of this matter. Please also see LTC's objections and response to Request No. 14.

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REQUEST NO. 14 Provide all correspondence, memoranda, emails and other forms of communication between Logan Telephone management and its Board of Directors regarding the complaint that Logan Telephone has filed with the Public Service Commission.

WITNESS: Greg Hale

RESPONSE: LTC objects to this request as it seeks information and documents protected by attorney-client privilege and work-product doctrine. Any of the referenced communications requested would be in anticipation of litigation and communications made to notify LTC representatives of confidential legal advice or to aid in rendering legal advice. LTC further objects to this request as irrelevant. Its internal and confidential privileged communications regarding the filing of the Complaint are not reasonably calculated to lead to the discovery of any evidence that may be used at the hearing of this matter. Subject to and without waiving these objections, LTC obtained Board approval to file this Complaint.

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REQUEST NO. 15 State the name and position of each person that Logan Telephone currently expects to call as a witness at any hearing held on Logan Telephone's complaint.

WITNESS: Greg Hale

RESPONSE: LTC is currently unaware of each and every witness it intends to call at the hearing on its Complaint, but, if a hearing becomes necessary, it will likely call Greg Hale, General Manager, and Thadd Kistler, Outside Plant Manager, as witnesses. LTC reserves the right to supplement this Request if necessary.

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REQUEST NO. 16 Describe the process or procedures that Logan Telephone has to address complaints involving the contractors with whom it has contracted for excavation and installation services related to its FTTH fiber optic network deployment.

WITNESS: Thadd Kistler

RESPONSE: LTC objects as “complaints” is an undefined vague term that is subject to several different interpretations. Subject to and without waiving this objection, to the extent any concerns were communicated to LTC about its contractors, such concerns would be forwarded to Outside Plant Manager, Thadd Kistler. Mr. Kistler would then investigate the concern either individually or by contacting the engineering firm hired to oversee the contractor to investigate. Typically, the engineering firm can resolve any issues with the contractor, and the engineering firm will report the results back to Mr. Kistler. If LTC were to receive repeat complaints or a complaint that is more serious in nature, then Mr. Kistler would likely initially investigate it or involve LTC’s General Manager, Greg Hale.

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REQUEST NO. 17 Provide a copy of all complaints that Logan Telephone received regarding North Central Service.

WITNESS: Thadd Kistler

RESPONSE: LTC objects as “complaints” is an undefined vague term that is subject to several different interpretations. Subject to and without waiving this objection, no responsive documents exist as LTC has not received any complaints (as it understands this term) regarding North Central, except the lawsuit that the District filed in Case No. 22-CI-00041. LTC denies the allegations made by the District in that lawsuit. LTC has received communications from customers regarding North Central, usually by phone and regarding landscaping issues, that are typically addressed by LTC’s engineer, Finley. These communications are not documented, and after a reasonable inquiry LTC cannot locate any such communications.

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REQUEST NO. 18 State the number of claims made against North Central Service for excavation damage while performing excavation and installation services for Logan Telephone.

WITNESS: Greg Hale

RESPONSE: See LTC's objection and response to Request No. 17.

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REQUEST NO. 19 State the number of damage claims for which North Central Service has acknowledge liability or responsibility incurred while performing excavation and installation services for Logan Telephone.

WITNESS: Greg Hale

RESPONSE: LTC objects to this Request as vague and ambiguous. Subject to and without waiving these objections, LTC is unaware of North Central ever acknowledging liability or responsibility for any damage claims.

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REQUEST NO. 20 Describe Logan Telephone's liability for any damage resulting from the actions of its contractors with whom it has contracted for excavation and installation services related to its FTTH fiber optic network deployment.

WITNESS: Counsel

RESPONSE: LTC objects to this request as it seeks a legal conclusion of which LTC is not required nor qualified to respond. LTC further objects as this Request is irrelevant because it is not reasonably calculated to lead to the discovery of any evidence that may be utilized at the hearing of this matter.

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REQUEST NO. 21 Describe the procedures that Logan Telephone has in place to ensure that its contractors are exercising reasonable efforts to avoid damage to the facilities of other utilities while performing excavation and installation services related to Logan Telephone's FTTH fiber optic network deployment.

WITNESS: Greg Hale

RESPONSE: LTC's contractors are contractually required to follow all 811 laws and regulations regarding their excavation and installation of LTC's FTTH deployment. Further, LTC hires an engineering firm to oversee and inspect its contractors' work to ensure compliance with applicable laws and regulations.

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REQUEST NO. 22 Provide all documents that Logan Telephone received from Findley Engineering regarding the performance of North Central Service while performing excavation and installation services related to Logan Telephone's FTTH fiber optic network deployment in the District's territory.

WITNESS: Greg Hale

RESPONSE: LTC objects to this Request as it is overbroad, unduly burdensome, and disproportionate to the needs of this case. Subject to and without these waiving objections, LTC does not have possession or control of documents specifically discussing North Central's performance of its excavation and installation of LTC's FTTH deployment other than normal progress reports on the amount of work completed each week.

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REQUEST NO. 23 State the number of claims and total dollar amount of those claims for which Logan Telephone has accepted responsibility that resulted from the actions of its contractors performing excavation and installation services related to Logan Telephone's FTTH fiber optic network deployment since 2013.

WITNESS: Greg Hale

RESPONSE: LTC objects to this Request as it is irrelevant, overbroad, unduly burdensome, and disproportionate to the needs of this case. LTC further objects as this Request is vague and ambiguous as "accepted responsibility" is not defined and subject to several different interpretations. Additionally, LTC objects as this Request seeks a legal conclusion of which LTC is neither required nor qualified to respond. Subject to and without waiving these objections, LTC is not aware of accepting responsibility for any claims related to its contractors performance of excavation and installation work. LTC has infrequently repaired a yard or paid for a water line repair after a 12 month contractor warranty period, but has never accept responsibility or ever had a formal claim made against it for any of these goodwill repairs.

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REQUEST NO. 24 State when Logan Telephone expects to resume excavations and installation of its FTTH fiber optic network in the District's territory.

WITNESS: Greg Hale

RESPONSE: LTC will continuously perform excavations and installations of FTTH service in the District's territory. LTC anticipates beginning a new main line project with a contractor in 2023 in the District's territory.

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REQUEST NO. 25 Based upon its current plans, what percentage of the excavations will be performed by Logan Telephone employees when deployment of fiber cable in the District's territory resumes?

WITNESS: Greg Hale

RESPONSE: In the areas where FTTH is already deployed, LTC employees will be extending the network to new locations. In areas that do not currently have FTTH, contractors will be doing all or a vast majority of the work.

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REQUEST NO. 26 Provide a map and a time table for Logan Telephone's next deployment of its FTTH fiber optic network in the District's territory.

WITNESS: Greg Hale

RESPONSE: No responsive documents exist. As stated in response to Request No. 24, LTC anticipates beginning another main line project in the District's territory in 2023, but no contract, maps, or time tables have been created yet.

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REQUEST NO. 27 State whether Logan Telephone is willing to have a preconstruction meeting with the District's representatives prior to commencing its next deployment of its FTTH fiber optic network in the District's territory. If it is not willing, explain why not.

WITNESS: Greg Hale

RESPONSE: LTC welcomes a preconstruction meeting with the District as long as its Commissioner, Carroll Browning, is not present, as LTC believes that he cannot contact LTC or its contractors pursuant to a no contact order issued when he was criminally charged for terroristic threatening and disorderly conduct for threatening to shoot certain LTC employees and contractors. *See Commonwealth v. Carroll H. Browning*, 19-M-00612 (Logan D. Ct.). However, if the District will continue its policy of refusing to locate its facilities for the various reasons it has identified in response to the Commission's Requests for Information, a preconstruction meeting would be superfluous.

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REQUEST NO. 28 Identify the name and position of the Logan Telephone official who the District may contact to address locate issues. Describe the extent of that official's authority to resolve locate issues.

WITNESS: Greg Hale

RESPONSE: LTC objects as "locate issue" is undefined, making this request vague and ambiguous. By its own admission, the District has several "locate issues," including insufficient mapping and a policy of refusing to mark its facilities. Further, a "locate issue" can arise in several different circumstances and may need to be addressed by different LTC employees. If the "locate issue" involves a locate request regarding LTC's facilities, the District should call LTC's Outside Plant Manager, Thadd Kistler. If the "locate issues" involve interpretation of law and the parties' obligations under the law, then the District should contact LTC's General Manager, Greg Hale, or LTC's counsel if involving active litigation.

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REQUEST NO. 29 Assume that, in response to a request from Logan Telephone or its contractor, the District has exercised its best efforts to locate its facilities and is able only to provide an estimated location that exceeds the tolerance zone. Describe the actions that Logan Telephone personnel or its contractors will take under those circumstances. Provide documents in which Logan Telephone has address such circumstances.

WITNESS: Counsel

RESPONSE: LTC objects to this Request as it is a hypothetical that lacks foundation because the District admits that it has not used its “best efforts to locate its facilities” due to its systematic failure to mark its facilities as required by 811 laws.

**IN THE MATTER OF LOGAN TELEPHONE COOPERATIVE,
INC., V. EAST LOGAN WATER DISTRICT, INC.
CASE NO. 2021-00248**

**LOGAN TELEPHONE COOPERATIVE, INC.'S RESPONSES TO EAST LOGAN
WATER DISTRICT'S FIRST REQUEST FOR INFORMATION**

REQUEST NO. 30 Refer to Logan Telephone's Response to Commission Staff's First Request for Information, Item 5.

- a. Provide all written reports that were prepared for the incidents listed in spreadsheet labelled LTC_000002.
- b. State the total footage of cable installed in the District's territory between from January 1, 2020 to December 31, 2020 by North Central Services.
- c. State the total footage of cable installed in Butler County Water System's service area between from January 1, 2021 to December 31, 2021 by Floyd's Equipment.

WITNESS: Thadd Kistler

RESPONSE:

- a. See damage reports produced here as LTC_000004-57.
- b. North Central approximately installed 83.15 route miles of main line fiber, and, approximately 64.42 route miles within the District's service area. There would additional fiber service drops between main line handholes and customer locations, but LTC does not have that mileage broken out by specific water district.
- c. Floyd's Equipment placed approximately 29.47 route miles of main line fiber. There would additional fiber service drops between main line handholes and customer service locations but LTC does not have the mileage broken out by water district.

**IN THE MATTER OF LOGAN TELEPHONE COOPERATIVE,
INC., V. EAST LOGAN WATER DISTRICT, INC.
CASE NO. 2021-00248**

**LOGAN TELEPHONE COOPERATIVE, INC.’S RESPONSES TO EAST LOGAN
WATER DISTRICT’S FIRST REQUEST FOR INFORMATION**

REQUEST NO. 31 Provide for each year from 2013 to 2018 for each contractor that Logan Telephone contract for excavation and installation services related to Logan Telephone’s FTTH fiber optic network deployment:

- a. The number of incidents involving excavation damage;
- b. The total footage installed by the contractor; and,
- c. The number of claims paid by the contractor

WITNESS: Thadd Kistler

RESPONSE:

a. LTC objects to this Request as it is irrelevant, overbroad, unduly burdensome, and disproportionate to the needs of this case. The facts relevant to the Complaint are from 2019 through present day, thus excavation damage from 2013 through 2018 is not reasonably calculated to lead to the discovery of any evidence that may be utilized at the hearing of this matter. Further, LTC does not document every “incident[] involving excavation damage[].”

b. LTC restates and incorporates its objections to Request 31(a) above. Subject to and without waiving these objections, LTC approximates that of its main line routes, 301.32 miles were installed by contractors. The breakdown of these miles are as follows:

Auburn C.O. Phase 1 – 24.92 miles

Auburn C.O. Phase 2 – 22.52 miles

Chandlers – 47.37 miles

Auburn West – 52.23 miles

Auburn East Phase 1 – 71.13 miles

**IN THE MATTER OF LOGAN TELEPHONE COOPERATIVE,
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**LOGAN TELEPHONE COOPERATIVE, INC.'S RESPONSES TO EAST LOGAN
WATER DISTRICT'S FIRST REQUEST FOR INFORMATION**

Auburn East Phase 2 – 83.15 miles

There would be additional miles for fiber service drops from LTC's main lines to customer locations, but LTC does not have that mileage broken out by specific water district.

c. LTC is unaware of any formal claims that have been paid by a contractor. There have been instances when a contractor would reimburse customers for lost water if they accidentally damaged a service line, or the contractor might replace a damaged tree or shrub as goodwill to the customer. LTC does not document each of these instances.

**IN THE MATTER OF LOGAN TELEPHONE COOPERATIVE,
INC., V. EAST LOGAN WATER DISTRICT, INC.
CASE NO. 2021-00248**

**LOGAN TELEPHONE COOPERATIVE, INC.'S RESPONSES TO EAST LOGAN
WATER DISTRICT'S FIRST REQUEST FOR INFORMATION**

REQUEST NO. 32 Refer to Logan Telephone's Complaint, Paragraph 21. List the date of each occasion in which Logan Telephone conferred with the District, identify the form of the contact (e.g., telephone conference call, in-person meeting), and the persons present each entity. Provide all documents regarding each meeting.

WITNESS: Greg Hale

RESPONSE: LTC objects to this Request as it is irrelevant, overbroad, unduly burdensome, and disproportionate to the needs of this case. LTC further objects as the information is equally available to the District. Subject to and without waiving these objections, based on its current recollection after a reasonable inquiry, LTC produces here a spreadsheet of relevant communications as LTC_000058-61.

**IN THE MATTER OF LOGAN TELEPHONE COOPERATIVE,
INC., V. EAST LOGAN WATER DISTRICT, INC.
CASE NO. 2021-00248**

**LOGAN TELEPHONE COOPERATIVE, INC.'S RESPONSES TO EAST LOGAN
WATER DISTRICT'S FIRST REQUEST FOR INFORMATION**

VERIFICATION

I, Thadd Kistler, verify, state, and affirm that the information request responses filed with this verification for which I am listed as a witness are true and accurate to the best of my knowledge, information, and belief formed after a reasonable inquiry.

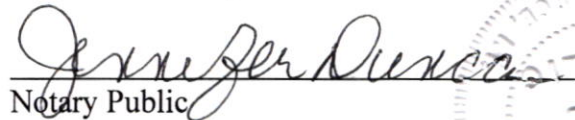


Thadd Kistler
Outside Plant Manager
Logan Telephone Cooperative, Inc.

COMMONWEALTH OF KENTUCKY)
) ss:
COUNTY OF LOGAN)

SUBSCRIBED AND SWORN TO before me on this the 9 day of December, 2022.

My commission expires: 9/26/24



Notary Public

IN THE MATTER OF LOGAN TELEPHONE COOPERATIVE,
INC., V. EAST LOGAN WATER DISTRICT, INC.
CASE NO. 2021-00248

LOGAN TELEPHONE COOPERATIVE, INC.'S RESPONSES TO EAST LOGAN
WATER DISTRICT'S FIRST REQUEST FOR INFORMATION

VERIFICATION

I, Greg Hale, verify, state, and affirm that the information request responses filed with this verification for which I am listed as a witness are true and accurate to the best of my knowledge, information, and belief formed after a reasonable inquiry.

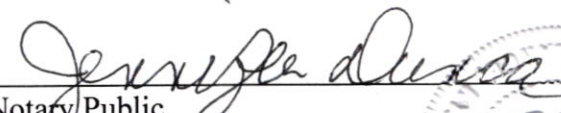


Greg Hale
General Manager
Logan Telephone Cooperative, Inc.

COMMONWEALTH OF KENTUCKY)
) ss:
COUNTY OF LOGAN)

SUBSCRIBED AND SWORN TO before me on this the 9 day of December, 2022.

My commission expires: 9/26/24



Notary Public

