

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE ELECTRONIC APPLICATION OF)
KENERGY CORP. FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY)
FOR THE CONSTRUCTION OF A HIGH-SPEED)
FIBER NETWORK AND FOR APPROVAL OF THE)
LEASING OF THE NETWORK'S EXCESS CAPACITY)
TO AN AFFILIATE TO BE ENGAGED IN THE)
PROVISION OF BROADBAND SERVICE TO)
UNSERVED AND UNDERSERVED HOUSEHOLDS)
AND BUSINESSES OF THE COMMONWEALTH)

Case No.
2021-00365

KENERGY CORP'S and KENECT, INC.'S
RESPONSES TO KBCA'S MOTION TO AMEND THE PROCEDURAL
SCHEDULE

Kenergy Corp. ("Kenergy") and Kenect, Inc., ("Kenect") submit the following Response to the KBCA's Motion to Amend the Procedural Schedule.

Kenergy and Kenect have no objection to the request by the KBCA to submit supplemental data requests by January 7, 2022. Kenergy and Kenect will respond to these supplemental requests by January 21, 2022. No other adjustments to the procedural schedule are necessary at this time. Kenergy and desire to keep the remaining schedule intact.

It must be noted that KBCA's Motion corroborates its intent to unduly complicate and disrupt this proceeding by pursuing issues ancillary to the objectively limited scope of its permitted intervention.

KBCA's intervention was expressly limited to "the issue of maps depicting whether the service areas are underserved or unserved." Order on Intervention at 5. The Commission ordered KBCA to "adhere to the amended procedural schedule set forth in the Commission's October 22, 2021 Order. As KBCA's motion acknowledges, KBCA was provided with a copy of Applicants' responses to KBCA's data requests five days prior to the date that supplemental data requests were due. Those data requests contained all of the requested information pertaining to "the issue of maps depicting whether the service areas are underserved or unserved." Moreover, KBCA's participation was connected to its assertion that KBCA (or its members) maintained allegedly proprietary maps that could aid the Commission in the Commission's own evaluation of Applicants' project. Order on Intervention at 3-4.

As KBCA's intervention is quite limited, its supplementary data requests should also be so limited.

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By



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CERTIFICATE OF SERVICE

I hereby certify that the foregoing was served by electronic filing to the Kentucky Public Service Commission, 211 Sower Blvd., Frankfort, KY 40602 with a copy served electronically to the Kentucky Attorney General, Office of Rate Intervention, 700 Capital Avenue, Suite 20, Frankfort, KY 40601-8204, and James W. Gardner and M. Todd Osterloh, Sturgill, Turner, Barker & Maloney, PLLC, 333 W. Vine St., Suite 1500, Lexington, KY 40507, on this 27th day of December, 2021.



J. Christopher Hopgood