

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

In the Matter of:	)	
	)	
ELECTRONIC APPLICATION OF KENERGY	)	
CORP. FOR A CERTIFICATE OF PUBLIC	)	
CONVENIENCE AND NECESSITY FOR THE	)	
CONSTRUCTION OF A HIGH-SPEED FIBER	)	CASE NO.
NETWORK AND FOR APPROVAL OF THE	)	2021-00365
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	)	
<u>BUSINESSES OF THE COMMONWEALTH</u>	)	

**KBCA's FIRST SET OF DATA REQUESTS TO  
KENERGY CORPORATION**

The Kentucky Broadband and Cable Association (“KBCA”) propounds the following data requests to Kenergy Corporation (“Kenergy”) in the above-captioned proceeding, pursuant to the Commission’s Order dated September 22, 2021..

**DEFINITIONS AND INSTRUCTIONS**

1. “Commission” means Public Service Commission of Kentucky.
2. “Document(s)” is used in its customary broad sense and includes electronic mail and all written, typed, printed, electronic, computerized, recorded or graphic statements, memoranda, reports, communications or other matter, however produced or reproduced, and whether or not now in existence, or in your possession.
3. “Unserved” and “Underserved” have the meanings set forth in KRS 278.5464(2).
4. These data requests are continuing in nature, and information which the responding party later becomes aware of, or has access to, and which is responsive to any request is to be made available to KBCA. Any studies, documents, or other subject matter not yet

completed that will be relied upon during the course of this case should be so identified and provided as soon as they are completed. The Respondent is obliged to change, supplement, and correct all answers to data requests to conform to available information, including such information as it first becomes available to the Respondent after the answers hereto are served.

5. If any information requested herein is claimed to be privileged or confidential, please state the grounds on which such privilege or confidentiality is being asserted, and include a brief description of the document, listing the date and the author, and please identify any person who received the document or a copy of the document.

### **DATA REQUESTS**

1. Has Kenergy determined which areas within its service area are unserved or underserved?
  - a. If the answer is yes, please describe the method(s) Kenergy used to determine what areas are unserved or underserved, and provide all documents related to that determination.
  - b. If the answer is yes, please describe whether, and if so how, how Kenergy's determination included consideration of binding commitments by third parties to offer broadband service pursuant to federal or state broadband programs, including but not limited to the FCC's Rural Digital Opportunity Fund ("RDOF") and provide all related documents.
  - c. If the answer is no, please describe when and how Kenergy plans to determine what areas are unserved or underserved.
2. Is Kenergy proposing to lease its proposed fiber optic facilities to Kenect throughout its service area, or to limit the lease to areas determined to be unserved or underserved?
3. Has Kenergy projected the transmission capacity or other technical specifications required for its current and future internal communication needs as a rural electric cooperative as set forth in the Application (*i.e.*, exclusive of the proposed provision of broadband service by Kenect and its sublessees)? If so, please describe transmission capacity and other specifications Kenergy has determined to be necessary for those needs.
4. Identify the transmission capacity of the fiber optic cable and related facilities Kenergy is proposing to deploy as part of its Amended Construction Work Plan.

If the capacity differs for certain portions of the proposed network from others, identify the nature and location of those differences.

5. Please provide the map attached as Exhibit 1 to the Testimony of Robert Stumph in .kmz format.
6. Please provide a map, in .kmz format, of the area(s) where Kenergy, Kenect, or Conexon Connect plan(s) to deploy broadband service to customers.
7. Referencing p. 14-15 of Kenergy's Application, please describe how Kenergy determined that "there are no public utilities, corporations, or persons with whom the proposed electric distribution-purposed construction or extension is likely to compete" and provide all documents related to that determination.
8. Referencing p. 17 of Kenergy's Application, please describe how Kenergy determined that "the proposed fiber optic network is not duplicative of existing services" and provide all documents related to that determination.
9. Referencing p. 9 of Kenergy's Application, Kenergy states that it plans to enter into "definitive arrangements to lease the excess capacity to an affiliate (Kenect) engaged exclusively in the provision of broadband service to unserved or underserved households and businesses, as well as sublease of the network to Conexon Connect." Will Conexon Connect also engage exclusively in the provision of broadband service to unserved or underserved households and businesses? If not, what customers does Conexon Connect plan to serve using the leased fiber optic capacity?
10. Is Kenergy seeking Commission approval of the sublease of its fiber optic capacity to Conexon Connect?

**RESPECTFULLY SUBMITTED** this 12th day of October 2021.

KENTUCKY BROADBAND AND CABLE  
ASSOCIATION

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